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Marilyn Manson— The Helluva Guy

Guilty Until Innocent—Prosecutors v. Parents

NATIONAL REVIEW

All New Democrats Now?

Trent Lott Schemes
by Rich Lowry

John Kasich Dreams
by Ramesh Ponnuru

McCain—Feingold and Other Campaign Frauds
by Sen. McConnell

America's Military: Overstretched, Oversexed, and Over There

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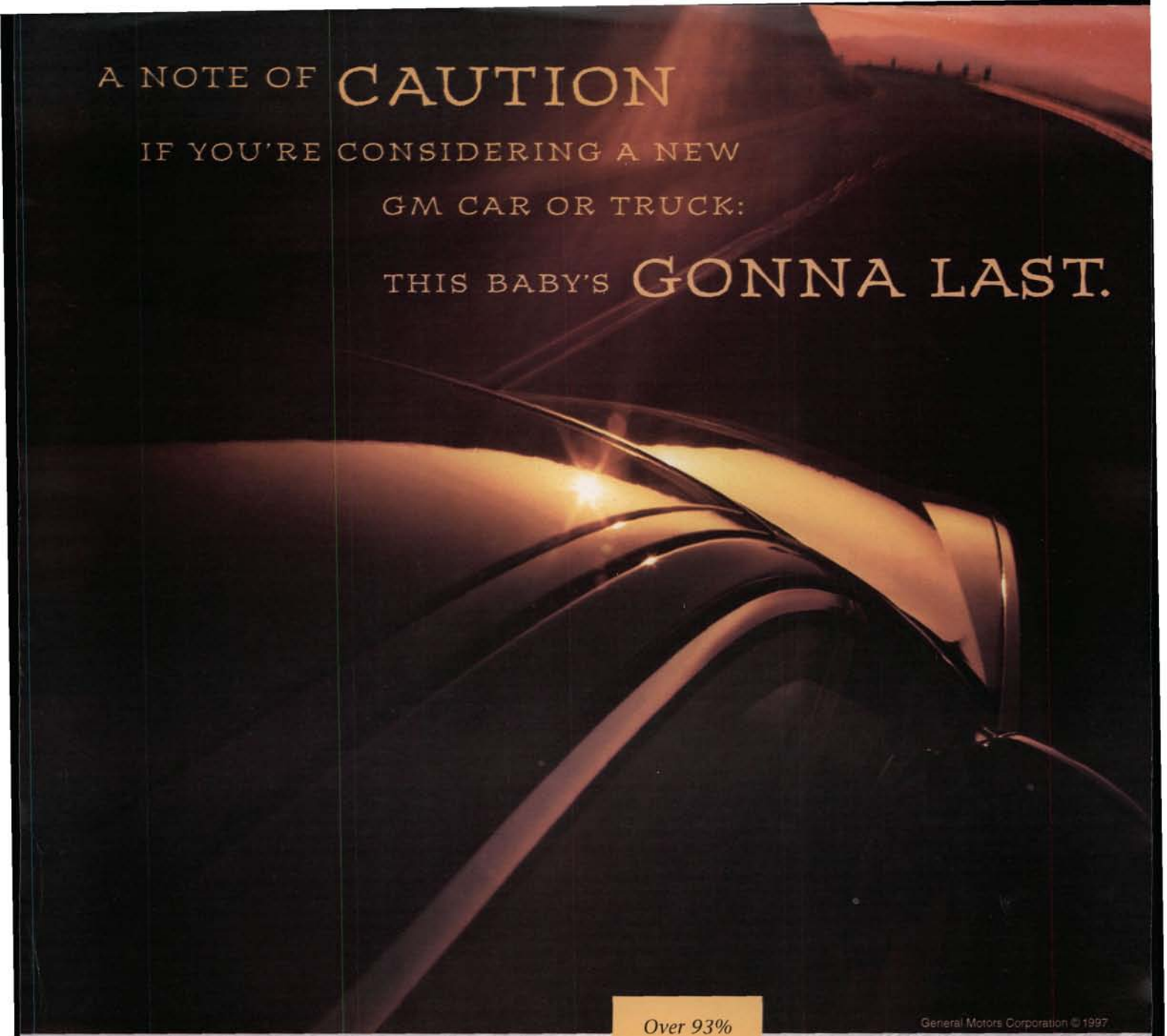

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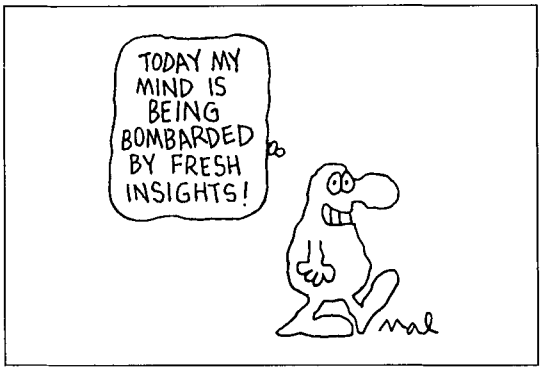
NATIONAL REVIEW

JUNE 30, 1997 VOL. XLIX, NO. 12



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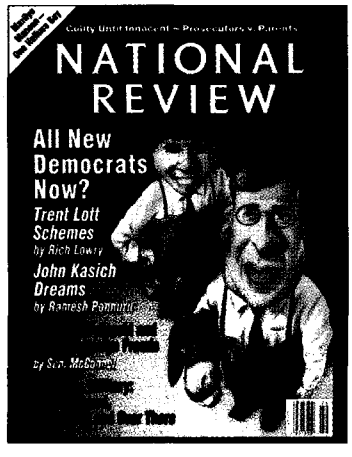

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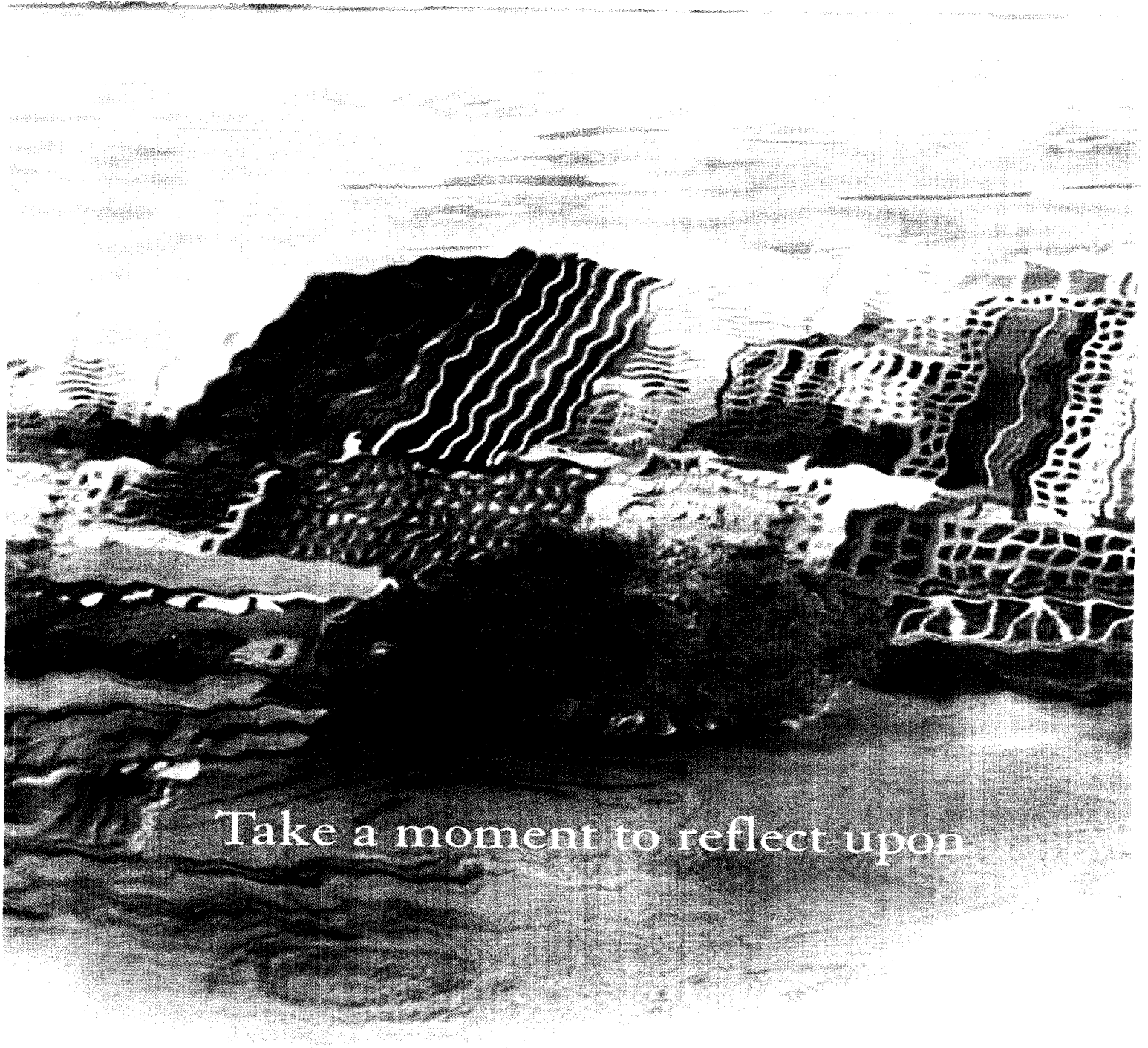

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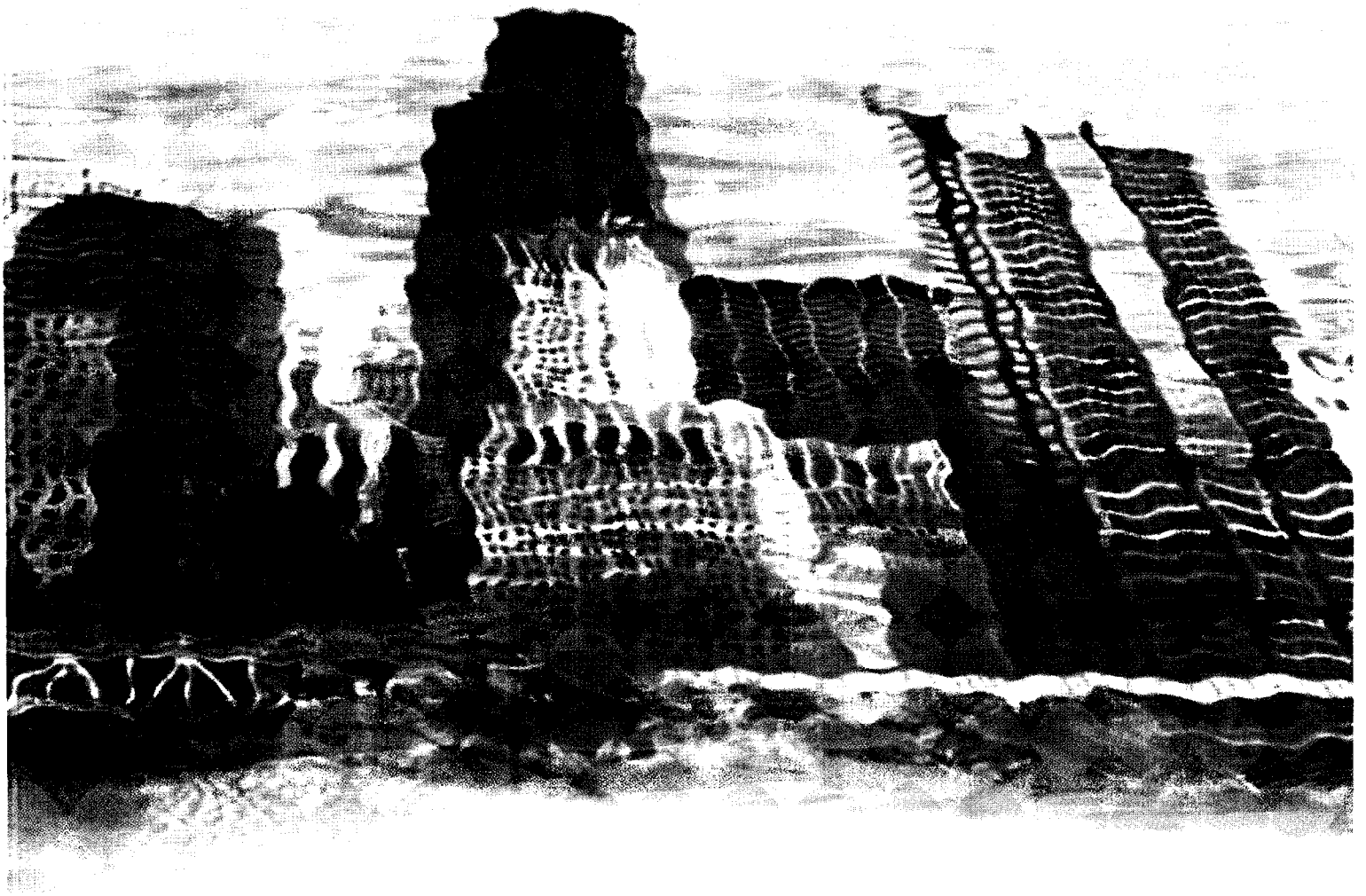

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LETTERS

Humor . . .

I am writing to protest your magazine's June 2 cover of Dick Gephardt with grotesque brow and high cheekbones as a brontosaurus eating stereotypical vegetation. You should be ashamed of your insensitivity toward Dinosaur-Americans. I am, however, sending the cover to Steven Spielberg for his movie about extinct liberal congressmen who make a career of taking money from hard-working producers in this country and redistributing it to special interests. The movie's working title: *Jurassic Perk.*

Stephen Piwowar
Acworth, Ga.

. . . and Humorless

At its April 1997 monthly meeting, Community Board #3 passed the following motion: To condemn the insensitivity of the anti-Asian art on the cover of the NATIONAL REVIEW (3/24/97) and to demand an apology to the Asian members of our community.

Susan Vaughn, Chair
New York, N.Y.

Dead Wrong?

Many of us have been subjected to the twisted sophistries of National Rifle Association apologist Daniel D. Polsby before, but "From the Hip" [March 24] tops them all. At no point in his diatribe does he (nor does his God the NRA) suggest any solution to gun violence short of jailing maldoers, only *after* they've committed a crime. And since the NRA deems no gun illegal or dangerous in the home, jailing the gun-toting lawbreaker is difficult. Nowhere do any of these gun crazies suggest that the U.S., with a gun in one-third to one-half of its households, might have too many, since such inundation exists nowhere else in the civilized world. The NRA's sole objective is to sell more and more guns. So we have 40,000 firearm deaths a year, in 1994 12,775 of them handgun homicides, versus an international high of 90 in Canada, which is about to ban handguns, and a low of 10 in Australia, which is about to ban them and run a nation-wide buyback after an unpleasant slaughter of 35 last year.

Mr. Polsby knocks the Centers for Disease Control, which calls guns a national health hazard, and the NRA has persuaded Congress to unfund its gun-violence research. Mr. Polsby cites some Illinois researcher claiming that more gun-owning households produce less crime. Fox Butterfield just revealed in the *New York Times* that weak gun-control laws produced more crime in at least six Southern states, which are also the source of illegal gun trafficking to the North. Then Polsby cites "research" by Gary Kleck, an acknowledged gun nut, who once found 2 million crimes (a figure he regularly changes) thwarted by folks lugging weapons! Kleck couldn't care less; he's from Florida, a main source of two-thirds of the illegal weapons in the North, according to the Boston police, the Bureau of Alcohol, Tobacco, and Firearms, and Harvard's Kennedy School. The FBI could only find 900,000 gun crimes in one year!

Worst, Mr. Polsby cites John Lott and David Mustard's study "showing" that states with concealed-carry laws have less crime. He admits that the study was funded by Olin, which makes ammunition, and writes that off by saying that the grants are not to Lott–Mustard, but to their college. As if the college would publish anything to undermine those grants. He also ignores that the study was printed verbatim with flaming cover-page hype in the NRA magazine *American Rifleman*. The "study" was thoroughly debunked by the Johns Hopkins center for gun-policy research, whose reputation for probity is beyond reproach. For four years Citizens for Safety has bought guns off the streets in a buyback program (now totaling 3,000), and no juvenile under 17 has been shot dead since July 1995 in Boston. More guns are safer? Hogwash.

Lewis S. Dabney
Citizens for Safety
Boston, Mass.

I will leave it to readers to make sense of Mr. Dabney's tendentious use of statistics and confine my reply to correcting his bad manners. Professor Kleck's book on firearms and violence, Point Blank, *was recognized with the the Hindelang Prize of the American Academy of Criminology as the best book on criminology published in 1992. No reputable scholar on any side of the firearms question regards Kleck's work as nutty. Mr. Dabney repeats the canard that the Lott–Mustard study can be discounted because it was "funded by Olin, which makes ammunition." As my article mentioned, the Olin Corporation makes ammunition; the Olin Foundation, which was founded by the Olin family but is not controlled by them, is completely distinct from the corporation. The Foundation did not "fund" the Lott–Mustard study. It endowed a fellowship in law and economics at the University of Chicago Law School, whose faculty appointed John Lott because of his professional standing as an econometrician. It did so without input from the Foundation or the Olin family. Reputable universities never, ever, accept money with ideological strings attached. The University of Chicago was founded by John D. Rockefeller, Jr.—must its faculty refrain from research on oil? Must Stanford refrain from research on railroads because it was founded by a railroad tycoon? Finally, I am not a cat's paw for the firearms industry or for the NRA. There is no connection of any kind, and for that matter I have never owned or used a firearm.* —DP

The Other *Survivor*

Something more than Dick Gephardt has survived from the Jurassic swamp of liberalism ["Tricky Dick," by Rich Lowry, June 2]. His name is Al Gore. Casually perusing Gore's *Earth in the Balance,* one finds that our Veep lies even further to the left than Gephardt. Gore's dim-witted comments on property rights, endangered bugs, and cars make him the true liberal survivor. Gore has just done a better job packaging himself as a moderate. Mr. Lowry correctly notes Gephardt's journey from moderate to liberal. Next, he should cover Gore's journey from moderate (though always a big spender, and by 1990 a solid liberal-bloc senator) to Luddite enviro-nut. A President Gore would give Big Labor its wish list just as Gephardt would, with a nice dose of environmental extremism thrown in on top.

Kristian M. Dahl
Burke, Va.

Brrrr

An item in "The Week" [May 19] refers to global warming and notes a "statistically significant cooling trend, of minus 0.048° C per decade." You then comment: "The dip, though real, isn't much, so scientists aren't predicting an Ice Age just yet." Oh yes they are—and have as far back as 1985. See the November 15 *NR* of that year. Brad Sparks takes to task Carl Sagan's crowd, who in those days called it "nuclear winter" and blamed it on nuclear explosions.

Peter Lantelme
Massapequa, N.Y.

For Shame

Your employment of Dick Morris ["Balanced-Budget Bliss," June 2] invites the indelicate question: If Dick Morris is a political whore, what are the editors of *NR* who hired him?

Stuart Barr
Denver, Colo.

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More than 4 million Americans suffer from Alzheimer's, a degenerative brain disease that attacks victims' minds and leaves them unable to care for themselves. There is no cure, but there is hope. The *New England Journal of Medicine* recently published a study that concluded that

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FROM THE EDITOR

Party Animals

■ "We are all New Democrats now," ran the conclusion of a recent *NR* editorial on the bi-partisan budget deal. Vivid criticism, eh; crisp, insightful, to the point. Or so Mr. Clinton must have thought.

For in his joint press conference with Prime Minister Tony Blair, broadcast through the good graces of C-Span, the Devil suddenly quoted Scripture—for his own dark purposes, preternaturally.

"Consider how upset some conservative Republicans are by the budget deal," he urged fellow-Democrats. "One conservative journal accused the moderate Republicans of being Clintonites, which is a fate worse than death for them, and then said that . . . 'we're all New Democrats now.' "

Our thanks for the endorsement. Next time, however, could Mr. Clinton mention us by name, ideally adding praise like "monstrous," "appalling," even (if he's in a generous mood) "scandalous."

There may be a free subscription in it for him.

■ Hence, of course, the words introducing the Trent Lott and John Kasich caricatures on our cover—as they try on their New Democrat uniforms for size.

There is also a slightly more vulgar interpretation of the caricatures. An old British music-hall song (in which "panto" is the Christmas entertainment for children) makes the point:

Don't tell my mother
I'm half of a horse in a panto
Never let her know that I'm a sham.
But if she learns in due course
That I'm half of a horse
(In a panto)
Please don't tell her which half I am.

I am prudently asking the printers to keep it in permanent type.

■ The recent elections in France, Canada, Britain, etc. are discussed in "The Week." But it is already clear that the European Union's drive toward a single currency brought down France's conservatives—and the new socialist regime will return the compliment and bring down the Euro (See "Gekko," page 30).

How? It may postpone the Euro's 1999 starting-date (to the Greek kalends). More likely, it will insist on a weak Euro that is friendly to exports, jobs, and inflation—and unfriendly to monetary rigor and the Bundesbank.

If Chancellor Kohl again overrides the Bundesbank as in 1990, he will inflict inflation on Europe through the Euro as he inflicted deflation on it through his monetary absorption of East Germany.

This time, my money is on the Bank.

■ Television no longer gives us election results—which parties won how many votes and how many seats—but their significance instead.

News networks reported, for instance, that Canada had splintered into regional loyalties but withheld a party breakdown of the popular vote. That might not matter if the analysis were shrewd and imaginative. Most of the time, however, it is the media's usual leftist blather.

I have given up all hope of ever seeing a conservative news network. Still, as "analysis" spreads like kudzu, a simple news network would be nice.

■ Last year the Clinton Administration rushed citizenship to more than 180,000 immigrants without background checks in the hope they would vote Democrat.

It has since turned out that 16,400 were criminals. (How many of them voted Democrat is not known.) And of these, almost 5,000 are to have their citizenship revoked. (How this will affect the disputed election results in Louisiana and Orange County is not known.)

It may, however, affect the results of the next presidential election since, as Ruth Larson of the *Washington Times* first revealed, Vice President Gore was up to his eyebrows in this scam.

I had claimed the honor of breaking this early Gore scandal for *NR*—an error entirely mine since Tom McArdle actually cited Miss Larson's work in his fine coverage for *NR*. My apologies to Miss Larson.

—JOHN O'SULLIVAN

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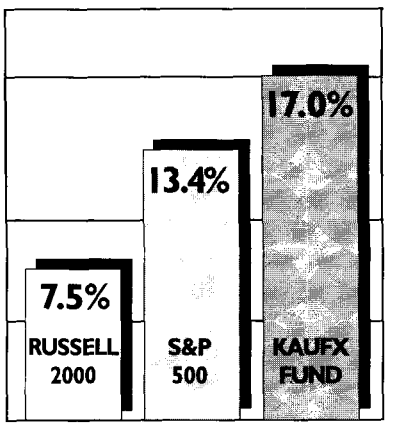

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FOR THE RECORD

■ **Clinton** lawyer **Bob Bennett**, defending the President in the **Paula Jones** affair, maintains that he "represent[s] a client who has done more for women than any President in the history of this country." . . . But feminists no longer buy it so readily. **Patricia Ireland** takes Clinton to task for Bennett's threat to drudge up Jones's sexual history: "He is the President. He should be showing leadership. Whether it's legally allowed still or not, this kind of attack on Paula Jones should not proceed." . . . **Anita Hill** writes in *Newsweek* that if Jones's claims are proven right "then we must face the fact that we helped to elect someone—Bill Clinton—who has betrayed us on this vital issue [of sexual harassment]." . . . **Newt Gingrich** says that in House Government Reform & Oversight Committee fundraising investigation headed by **Dan Burton** (R., Ind.) "all the names come back to two people in the end," Clinton and **Gore**. . . . **James Carville** begins campaign against Burton, reportedly compiling a file of all his contacts in federal agencies since 1982 and vowing to release it when Burton holds hearings. . . . A top White House official tells New York *Daily News* that much-maligned Burton "really hasn't been that unfair." . . . According to *USA Today*, the DNC sends out a fundraising letter signed by Carville warning that the party is in a "dire" money situation and could be "crippled for years." The letter notes that financial support has dropped in recent months and "our financial resources are drying up fast."

■ Running for chairman of the House Republican conference, **Deborah Pryce** (R., Ohio) says: "I think we just need to have a conference reflective of the country. We don't need a conference full of male members who are conservative ideologues." . . . . Rep. **Jennifer Dunn** (R., Wash.) is favored to win the conference job vacated by **Susan Molinari**, who is leaving to host a CBS morning show. . . . Sen. **Ted Stevens** (R., Alaska) and Rep. **Bob Livingston** (R. La.), chairmen of the Senate and House Appropriations Committees respectively, say they support a congressional pay raise. . . . Livingston, representing traditionally big-spending appropriators, has increasingly contentious relations with the House GOP leadership. . . . A signature-gathering effort by Wisconsin prolifers to force recall elections for Democratic Sens. **Russ Feingold** and **Herb Kohl** after their votes against partial-birth abortion ban falls just short. . . . According to *Boston Herald* poll, 48 per cent of Democrats think Rep. **Joe Kennedy** (D., Mass) has not been truthful in his account of what he knew of his brother's affair with a baby-sitter; only 19 per cent believe Kennedy. . . . The Utah State Republican party adopts a resolution rejecting Sen. **Orrin Hatch**'s joint health-care initiative with Sen. **Ted Kennedy** (D., Mass.).

■ Tennessee legislature deep-sixes key part of likely presidential aspirant **Lamar Alexander**'s gubernatorial legacy, the so-called "career ladder" program for teachers. . . . **Elizabeth Dole** speaks to hundreds of businesswomen at a SBA conference in New Hampshire. . . . In a joint appearance before a business group, **Jesse Jackson** tells **Jack Kemp** that the GOP football star should run on ticket with him since he essentially is a "misplaced Democrat." . . . **Bob Dornan**: "I'm looking at 2000."

"No, it doesn't have much pick-up—but need I remind you Reverend and Mrs. Ferguson . . . power corrupts."

■ **Yasser Arafat** has ordered an investigation of charges by an auditing department that some $326 million of $800 million Palestine Authority budget has been wasted or misused. . . . **Ehud Barak**, a former general, is Labor's new leader with a clear majority in the party primaries, and is expected to lead the party sharply to the right on both security and economic issues. . . . Israeli Attorney Gen. **Elyakim Rubinstein** claims to have proof of direct involvement of high Palestine Authority officials in murder of three Arab land agents for selling land to Jews. . . . **Markus Wolf**, former head of East Germany's Stasi, has escaped another German court with only a two-year suspended sentence for his part in three kidnappings by his agents. . . . Albanian Pres. **Sali Berisha** was unscathed in an assassination attempt by a 26-year-old who threw a grenade at him without pulling the pin.

■ **Arianna Huffington** reportedly getting six-figure advance for her satire of an over-night stay at the White House, "Greetings from the Lincoln Bedroom." . . . Finally switching all the way over, **Sidney Blumenthal**, known for his fawning reporting on the Clintons in *The New Yorker* and elsewhere, will join the Clinton Administration as a senior political adviser. . . . Don't get too exercised about infanticide: **Evan Thomas**, former Washington bureau chief of *Newsweek*, raps Sen. **Rick Santorum** for his partial-birth abortion "theatrics [that] make me gag. He may be sincere, but the show that he just put on, the clip we just saw of him wringing his hands about babies, make me think that it is theater. That may be unfair to him, but it seems excessive to me and a lot of this is just showboating on the floor."

■ In lame demonstration of the GOP's new take on "social issues," Speaker Newt Gingrich blasts President Clinton for not delivering an anti-drug message to "teen music fans" during hour-long special on VH1, "Bill Clinton: Rock & Roll President." The problem: kids watch MTV, not VH1, a network geared to an older demographic. . . . Former **Dole** press secretary **Nelson Warfield** says of VH1 show that "critics will now ask why the Clintons can find 30-year albums but lost Rose Law Firm billing records."

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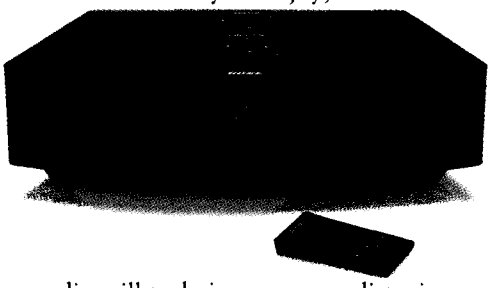

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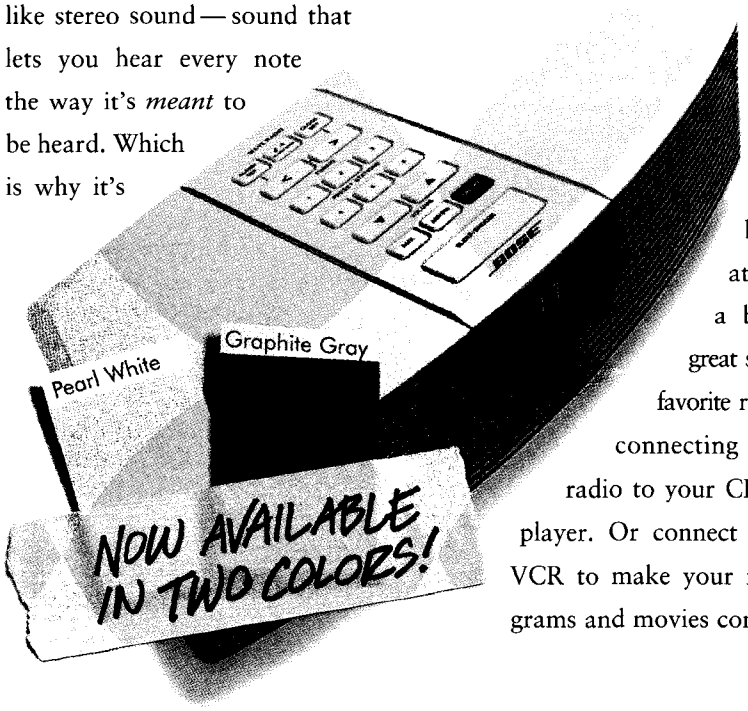

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THE WEEK

■ Attorney Bob Bennett assures us that there was "absolutely no wrongdoing by the President" in the Paula Jones affair, which the faithful will hear as a denial that anything happened, but which is lawyerese for the fact that he wasn't President when it happened. Lawyers like to talk that way and need constant watching.

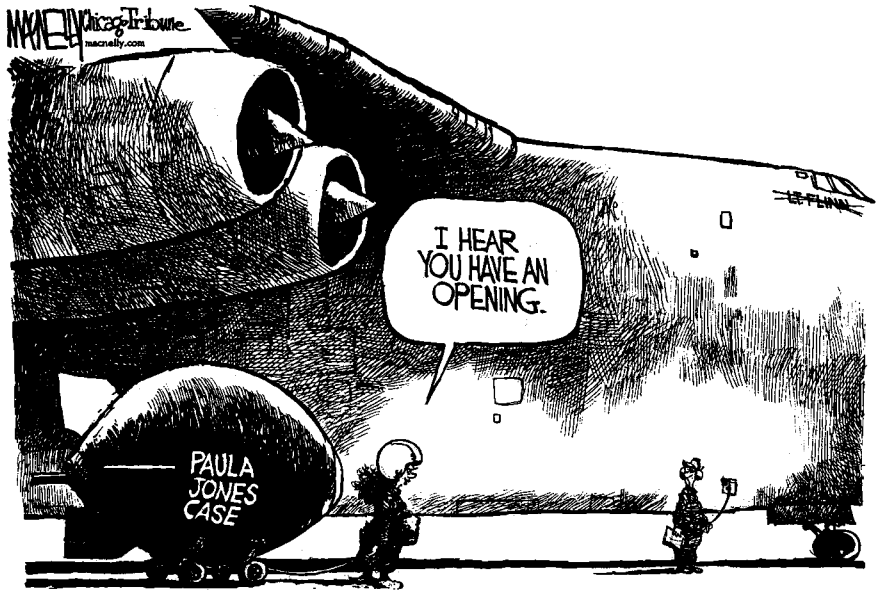
■ Defense Secretary William Cohen concluded that Gen. Joseph Ralston's decade-old affair with a civilian while separated from his wife did not prejudice good order and discipline in the ranks, and he stuck by his top candidate for Chairman of the Joint Chiefs of Staff. Cohen recognized that in the aftermath of the Kelly Flinn case his decision would be unpopular, but he knew the cases were easily distinguishable and so refused to sacrifice Ralston, a much-decorated Vietnam veteran. But Ralston removed himself from consideration when it became clear that disgracefully few senators were willing to help Cohen end the witchhunt for miscreants in uniform. There is indeed a moral component to leadership; some great military leaders have been serial adulterers (both Napoleon and Wellington spring to mind); and any contradiction has traditionally and reasonably been resolved by treating adultery in the context of maintaining order and discipline. The fact that many commentators have understood nothing of this, seeing only that Gen. Ralston is a man and Lt. Flinn a woman, says plenty about the media's subservience to the feminist agenda. (Other agendas are also at work: when feminists called for a halt to prosecutions of consensual sexual activity, gay activists quickly grasped the implications for them.) Kelly Flinn played to this prejudice, declaring: "I don't know all the facts of Gen. Ralston's case, but I know enough to realize that in most important respects, we were in the same situation." Except that Gen. Ralston had not disobeyed a direct order or lied under oath. Above all, his affair was not with the wife of an airman under his command. There is indeed a double standard—but not the one Kelly Flinn perceives.

■ Paula Jones has overtaken the President in the polls, with 37 per cent of the public believing her, 36 per cent believing him. If it goes to trial, 58 per cent want to watch. Stand by for a settlement out of court.

■ One provision Republicans hope to attach to the Midwest-flood-relief bill is a prohibition of the use of so-called "sampling" by the Census Bureau. The Constitution says that every ten years there must be an "actual enumeration" of people living in the United States. Inevitably, some people are missed—they refuse to participate or they're impossible to track down—and these tend to be poor and to live in cities. So the Clinton Administration has a solution: move from actual enumeration to estimation. Under the Administration's plan, the Commerce Department would canvass 90 per cent of the population, and project the rest. The U.S. Conference of Mayors, smelling the federal funds and congressional seats that come with an inflated count, loves the idea. Which is one reason Republicans should hate it. No one can vouch for the accuracy of the new method (even the director of the 1990 Census advises against it). It also creates the possibility of the Commerce Department tweaking the data to favor the cities and Democratic constituencies. Why should the Clinton Administration bother winning new voters, when it can make them up as it goes along?

■ Strom Thurmond walked out of *The Lost World*, complaining of "*déjà vu* all over again."

■ Desperate to prove immoral equivalence between the Democrats and the Republicans on the fundraising front, the media have latched onto a 1994 loan transaction involving Signet Bank, the National Policy Forum (NPF), and a Hong Kong businessman named Ambrous Tung Young. Haley Barbour, the former chairman of the Republican National Committee (and, we should mention, current head of a PR firm of which *NR* is a client) founded the Forum in 1993, modeling it on the Democratic Leadership Council, which gave us Bill Clinton and other "New Democrats." The NPF used much of Mr. Young's $2-million loan to help pay off a $4-million debt to the RNC. Hence, say liberal pundits, the RNC was taking foreign contributions—"just like the Democrats." Not quite. When the NPF closed its doors last December,



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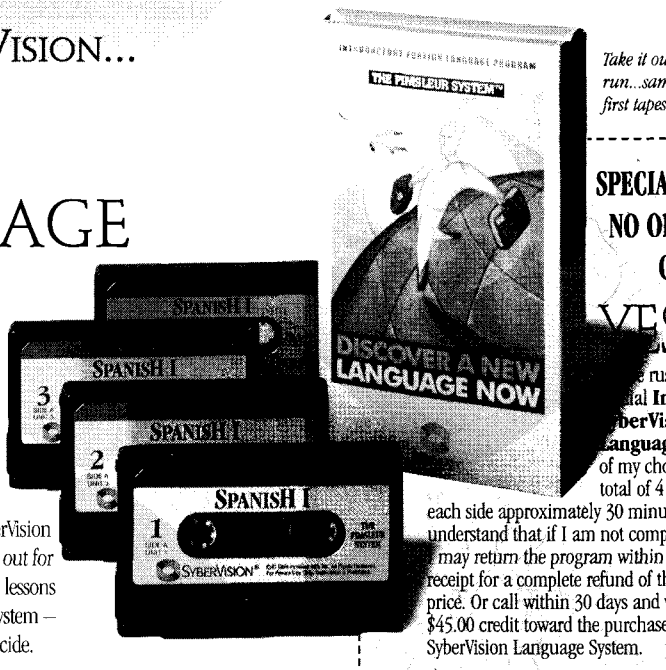

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it was still $2.5 million in debt to the RNC. The party was a conduit of money to the think tank—which is perfectly legal. What is definitely not legal is a think tank's engaging in political activity. Yet last Sunday, Democratic National Committee Chairman Roy Romer told *Fox News*'s Tony Snow that he thinks the DLC contributed money to Democratic candidates—an admission that went unnoticed. Gov. Romer spoke with authority: in addition to being DNC chairman, he is also DLC vice chairman. So the question is: Are Democratic senators willing to subject the extant DLC to the scrutiny they demand for the defunct NPF? A good question in particular for Sen. Joseph Lieberman (D., Conn.), who sits on the committee investigating the NPF transaction—and who chairs the DLC.

■ A caller to the Rush Limbaugh show suggests, usefully, that the Democratic National Committee be declared a foreign country so that it can receive foreign aid.

■ The unemployment rate remains low, and there is still no sign of rising inflation. The U.S. economy remains on the path of moderate growth with low inflation that has rekindled confidence and raised incomes. These are historic achievements. In the 15 years since the Reagan revolution took hold, the economy has had only one mild recession, lasting only eight months, in 1990–91. There is no other 15-year period like it in the history of the United States or, we venture, any other developed economy. The continued decline in unemployment and inflation should give pause to policy-makers, like Fed Governor Lawrence Meyer, who insist that low unemployment causes inflation. In the 1970s inflation and unemployment rose together. In the 1990s, they fell together. This is exactly the opposite of the relation used by Meyer and other partisans of the so-called Phillips curve to predict inflation. Will they never learn that inflation is caused by excessive demand, not by greater supply? Meanwhile, the labor force continues to absorb many of those who formerly lived on the welfare system. If this keeps up, even Dick Gephardt may do a Tony Blair.

■ Inclement weather trapped the first all-female expedition to the North Pole on an ice floe for seven days. Supplies were dwindling until, finally, the gals were saved by a rescue plane piloted by John O'Toole.

■ One of the neglected features of criminal punishment is the unity it provides for an otherwise divided polity. The modern state punishes through a central criminal process not only because it provides more efficient deterrence than the family vengeance relied on by ancient peoples, but also because the ritual of public trial can remind our disparate community of the core values which brought it together. Timothy McVeigh was arrested wearing a shirt that proclaimed that "the tree of liberty" could be refreshed by acts of revolutionary violence, but the real truth on display here is that the state can be sustained in part by righteous punishment. There is little doubt that one of the reasons the trial of McVeigh has transfixed the entire nation is the widely shared sentiment that he is deservedly on trial for his life. The penalty phase of the trial, with its focus on the victims who were ripped from their families, friends, and colleagues, is an essential part of the spectacle of justice—reminding us of the common affections and enterprises that a just social order sustains. Any punishment other than death would deprive Oklahoma City and the nation of the catharsis that is their due.

Distinguishing Characteristics

As I hear the dull buzz of the bee
In the shade of the old apple tree,
Purer thoughts get entwined
With the prurient kind—
Is the mole near the hip or the knee?

—W. H. VON DREELE

■ The Treasury Department is proposing regulations that would, among other things, require that all transfers of money over $750 be reported to the government. The rationale is to stop drug-runners from laundering money—as if a government that can't keep drugs from coming in can reasonably be expected to keep money from going out. The War on Drugs may have failed, but the war on American liberties marches on.

■ In the July *Esquire*, David Brock charges that conservatives have shown themselves less interested in truth than in partisan advantage. His main evidence for this proposition is that they cheered his exposés of Anita Hill and Troopergate but panned his adulatory book on Hillary Rodham Clinton. (His pain over this last item is palpable.) Among the many problems with this story line: not all conservatives cheered his earlier incarnation, nor ostracized him in his second. When Troopergate came out, NATIONAL REVIEW noted editorially that we pass up opportunities to break sexual scandals about partisan opponents; John O'Sullivan suggested that the topic was "distasteful," and he was not the only conservative who thought so. After the book on Mrs. Clinton was published, *NR* invited Brock to a dinner where disagreements were discussed cordially. Brock cites Rich Lowry's negative review of his book—together with *NR*'s comment that not all our editors agreed with Kate O'Beirne's column calling for Newt Gingrich's withdrawal as Speaker—as evidence of a "neo-Stalinist" instinct on the Right to quash diversity of opinion. In fact, both were instances of that diversity. As one might expect of the writer who wrongly labeled Paula Jones a former lover of President Clinton, Brock is occasionally careless: Mark R. Levin

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Icky Portents

Suddenly, Europe looks squishy.
Germany toys with its gold.
Socialists party in Paris.
(Commies come in from the cold.)
Tony's disguise needs adjusting.
Jacques has been seeing a shrink.
Boris is buggering NATO.
Helmut could do with a drink.

—W. H. VON DREELE

protests that remarks of his have been grossly distorted by Brock. Posing as the Last Honest Reporter, Brock wonders, "In political combat in Washington . . . were the facts always the first casualty?" It appears so.

■ A minor-league baseball team in West Virginia decided to offer a free vasectomy as a Father's Day promotion. It didn't fly, which is just as well, because if you do this sort of thing enough, you don't *have* a Father's Day.

■ Anthropologists say members of a human-like species arrived in Europe 300,000 years sooner than previously thought, making them the first people to be treated rudely by French waiters.

Broken China

THE debate over China policy is heading toward a climax, as GOP leaders seek a vote on Most Favored Nation status—duckspeak for normal trade relations—before the July 4 recess. The outcome is a foregone conclusion: there is no chance that disapproval of MFN will pass both houses and override a presidential veto. Therefore, the moment is long overdue to consider more practical measures which opponents of MFN, for tactical reasons, have ignored.

To be sure, there are good arguments for opposing MFN for China. The neoconservatives have raised serious strategic questions; the Christian Right makes a powerful case concerning persecution of Christians in China. Nevertheless, blocking MFN is the familiar syllogism: Something must done; revoking MFN is something; therefore it must be done.

Cutting off normal trade with China would do enormous damage—to the people of Hong Kong, for example, and to American business. A serious strategy would leave normal commerce intact but address the real imperatives for U.S. policy: maintaining naval dominance in the Western Pacific (which means reversing the decline in our defense budget); maintaining solidarity with our allies in the region (Japan, South Korea, Australia, New Zealand, ASEAN, and of course Taiwan); developing and deploying missile defenses as soon as possible; expanding Radio Free Asia; tightening up U.S. and allied controls on the sale of militarily usable advanced technologies to China; finding more focused ways to penalize those Chinese who are linked to arms smuggling, diversion of technology, or abuses of human rights; and supporting programs, like those of the International Republican Institute, that assist reformers.

An important bill sponsored by Sen. Spencer Abraham, S-810, would make available some of these more targeted sanctions. The passionate campaign against MFN has so far diverted attention from practical means of that kind. But in the long run, China's economic opening—which revoking MFN would obstruct—is the strongest pro-democracy force of all.

Nor would revoking MFN be good domestic politics. Some conservatives see MFN as a galvanizing issue to mobilize a domestic coalition for long-term political goals. We are not against coalition-building, but foreign policy is supposed to serve the national interest, not some partisan crusade. The strangest aspect of the campaign is Republicans' collaboration, tacit or otherwise, with the AFL–CIO and the reactionary Gephardt wing of the Democratic Party. Given the AFL–CIO's war against Republicans, there is little to be said for wooing it, even in the name of wooing back "Reagan Democrats."

China should be given permanent MFN status once it meets the formal requirements for membership in the World Trade Organization. (The Bereuter–Ewing bill before Congress would accomplish that.) Then we would be spared this annual exercise in national self-humiliation and be free to focus productively on China policy.

House Broken

FOR months Republicans on Capitol Hill have provoked nothing but wonderment. They have seemed to resist advancing conservative principles or even their own political interests. No rollback of race and gender preferences. No abolition of the National Endowment for the Arts. No immigration curbs. Nothing, in short, to incite the conservative base to go to the voting booths in an off-year election. Then came the budget deal, which apart from its other problems would deprive Republican challengers next year of the chance to expose Democrats' tax-and-spend proclivities. Republicans would stick to "safe" issues like drugs, in the vain hope that voters would be persuaded that Democrats are soft on the issue. A party all of whose major political victories have followed from sharpening differences appeared to be blurring them instead.

It is possible, however, that there is method in this

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in *National Review*

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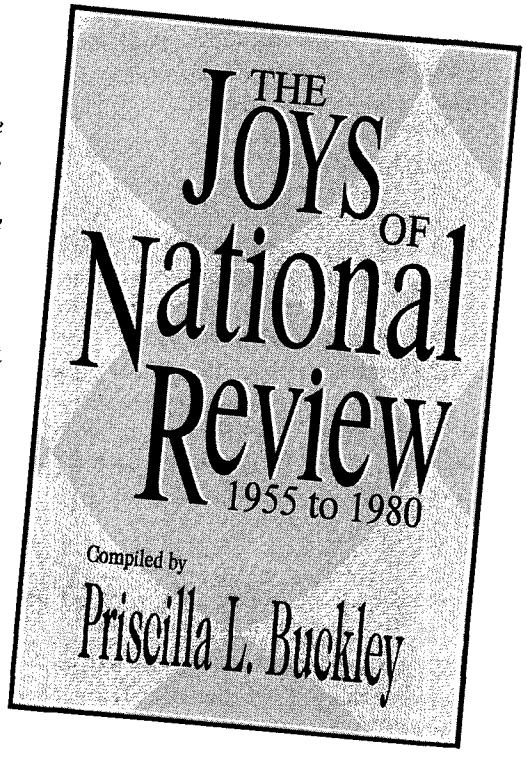
— Arnold Beichman
Hoover Institution



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Help Wanted

As Bush the Younger drops the ball
While Lott and Gingrich cast a pall
Not seen since William Wordsworth flipped,
One peers amongst the nondescript
For someone mouthing more than mush,
But there's no "there" there—only Rush.

—W. H. VON DREELE

seeming madness. Perhaps the congressional leadership has secretly devised the boldest and most cunning strategy of all: lose the House.

It's not as crazy as it sounds. Republicans would be likely to keep the Senate and hold a strong minority in the House, keeping the Democrats in check. At the same time, victorious congressional Democrats would be unable to keep their liberalism under wraps—imagine Armed Services Chairman Ron Dellums, or Charles Rangel trying to rewrite the tax code. Republicans would have plenty of targets, and they're better at framing issues when they are in opposition anyway. Speaker Dick Gephardt would be a Democratic hero, setting up a much more bruising primary contest for his party in 2000.

The stage would, in short, be set for the simultaneous election of a conservative President and a conservative Congress in 2000 and the resumption of the counter-revolution. George Bush's 1992 loss was probably a prerequisite for the tsunami of 1994. Could Republican congressional leaders be trying to repeat that success? If they have indeed adopted this risky strategy, they are certainly executing it marvelously.

National Questions

A REPUBLICAN Party that smiles upon Kelly Flinn in order to bridge the gender gap when married women are among its strongest supporters may be past helping. So the cumulative lessons of recent elections in Britain, Canada, France, New Zealand, Australia, Austria, Italy—and the United States—will be lost upon it. Here goes, anyway.

The shape of post–Cold War politics is gradually becoming clear. The Left—both social democrats and post-Communists—is consolidating as it moves toward the center. For decades the Soviet threat made it almost impossible for democratic socialists to enter into coalitions with the Communists; the end of the Cold War has removed that barrier. Hence, Communists are now in both the French and the Italian governing coalitions.

If other things were equal, that would mean a sharp leftward shift in policy toward economic planning, high taxes, redistribution, and so on. But because these ideas were discredited by the very historic development that brought about a united Left—the collapse of Soviet Communism—left-wing parties increasingly espouse the free market and fiscal responsibility. The Labour parties of New Zealand and Australia led the way here, but they have been copied by the British Labour Party, the Italian post-Communists, the Canadian Liberals, and Clinton's New Democrats, with only the French Left holding out—probably until the franc next goes into freefall.

That does not mean, of course, that left-wingers are all conservatives now, merely that their control-freakery has been diverted into other courses: multiculturalism, feminism, environmentalism, race and gender preferences, and regulations of every kind. What the Left now offers is social engineering restrained by fiscal responsibility.

At the very moment when the Left is mounting this united attack, moreover, the Right is dividing against itself. Most parties of the Right are run by economic conservatives who, in varying degrees, have marginalized social, cultural, and national conservatives, ignored the concerns of such voters, and allowed their base to shrink while they nibbled at constituencies that are securely in Liberaldom's pocket, such as feminists. The predictable result—third parties—has now happened.

Canada's Tories have been replaced as the official Opposition by the populist Reform Party and obliterated in the conservative West (see page 24). France's conservative coalition lost the recent election because the National Front siphoned off 15 per cent of the right-wing vote. New Zealand's National Party leads the governing coalition by courtesy of New Zealand First—a breakaway Buchananite party which gained 13 per cent of the popular vote. In Australia, One Nation—a new party founded in April by an outspoken fish-and-chip-shop proprietor, Pauline Hanson, who won a safe Labour seat as an independent—has already racked up 12 per cent support in opinion polls, cutting the government's lead over Labour in half. Italy's National Alliance, a former neo-fascist party turned respectable, obtained 15 per cent in the 1996 elections, which it saw as a "disappointing" result. In Austria's local elections, the Freedom Party ran level with the two major parties with 27 per cent because it won half of the working-class vote. Even Britain's Tories, who have generally tended to cultural and national conservatism, lost 4 per cent of their vote to small anti-Europe parties—4 per cent they could ill afford in a single-issue election where the single issue was "throw the Tories out." And in the U.S., Ross Perot's Reform Party got 8 per cent in a lean 1996—down from 19 per cent four years earlier.

Some of these parties, notably the National Front in France, are run by sinister extremists. Others are likely to fade away as their charismatic leaders lose interest or credibility. But the issues that fuel them—the fraying of national unity, language questions, immigration reform, race and gender quotas—are respectable conservative issues, and the voters they represent are a permanent part

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of the political scene. Republicans have a choice: they can win with them or lose without them.

All the Same

ON February 24, when the world was abuzz with the appearance of Dolly the cloned sheep, President Clinton appointed a National Bioethics Advisory Commission, asking it to report within ninety days "with recommendations on possible federal actions" to prevent the "abuse" of cloning human beings. On June 7, the commission reported, proposing a legislative ban on human cloning. The commission's recommendation, while welcome, is accompanied by an unacceptable proviso. It suggests that the prohibition against cloning should expire in three to five years unless a body of experts recommends otherwise. Prohibition of cloning people should be permanent.

The objection is raised that, if cloning is banned here, people of means will go to other countries where it is permitted. Perhaps, but Britain has already banned human cloning, and other countries are considering doing so. In any case, the U.S. should take the lead in securing international agreement to outlaw the procedure. Meanwhile, a national ban must include, as the commission recommends, not only federally funded projects but also private initiatives. Reproductive technology has become a very big business and would undoubtedly explode were people offered the chance to manufacture a "perfect baby," meaning a duplicate of themselves or of celebrities admired for their brawn, brains, or beauty.

The liberal claim that people have a "right" to clone

Right Data

WILL Republicans embrace class warfare? That unlikely scenario is playing out on the tax front, where social conservatives increasingly resent the importance the party's business elite place on cutting estate taxes. Many pro-family types would forgo lower tax rates to get the $500 per-child tax credit.

But estate taxes are not just for the rich. Consider this: The current $600,000 exemption has been in place since 1987. Since then inflation (up by 42 per cent) and a booming stock market (up 200 per cent as measured by the S&P) have pushed many middle-class families into estate-tax territory. More than half (54 per cent) of the estate-tax returns filed in 1995 were from estates valued at less than $1 million. The government took 2.3 per cent of this group's inheritance.

On paper the tax is progressive: Marginal tax rates range from 37 per cent on the first dollar over $600,000 to 55 per cent on taxable amounts over $3 million. But as seen in the table, very large estates ($20 million plus) pay a smaller share to the government than medium-sized estates. The disparity reflects a myriad of loopholes available to people of means.

At the simplest level, a couple can give family members or other individuals $20,000 per year without incurring any gift tax. More complex—and costly—methods include "irrevocable trusts" and "second-to-die" insurance policies. So effective are the various escapes that George Cooper, a professor of law at Columbia University, says the tax is essentially voluntary. "The fact that any substantial amount of tax is now being collected," he writes, "can only be attributed to taxpayer indifference to avoidance opportunities or a lack of aggressiveness on the part of estate planners in exploiting the loopholes that exist."

ESTATE TAX: LOOPHOLES FOR THE RICH
(1995)

Size of Estate	Number	Average Estate	Average Tax	Tax as % Of Estate
(Millions)				
$0.6 to 1	37,329	$ 766,160	$ 17,445	2.3%
1 to 2.5	24,558	1.47 Mil.	122,200	8.3
2.5 to 5	5,331	3.40 Mil.	515,510	15.2
5 to 10	1,683	6.95 Mil.	1.22 Mil.	17.6
10 to 20	571	13.84 Mil.	2.45 Mil.	17.5
20+	300	51.67 Mil.	6.68 Mil.	12.9
Total	69,772	$1.69 Mil.	$169,710	10.1%

Source: IRS.

Not surprisingly, the tax does not raise much money—$11.8 billion, or just 1 per cent of federal revenues in 1995. Even this may be an overstatement. Stanford University economist Douglas Bernheim, in testimony before the Kemp Commission, said the income lost from re-jiggering financial assets to avoid estate taxes may exceed the amount ultimately collected. Other economists stress the disincentives facing high-income people whose main reason for working is to leave a large estate to their children. (Tax rates facing them are effectively 73 per cent—39.6 per cent on the income, plus a 55 per cent estate tax on the remainder.) Negative effects include children who work and save less because of tax-exempt gifts bestowed by parents. Direct compliance costs alone are estimated at 65 cents for every dollar raised.

Small family-owned businesses and farms bear a disproportionate share of the tax burden. They often choose to forgo, or simply cannot afford, the expense of estate planning. Karen Kerrigan of the Small Business Survival Committee estimates that 90 per cent of family businesses that close after the death of the founder do so because heirs cannot pay the estate tax without liquidating the business. That's bad for everybody; 78 per cent of all new jobs created in the U.S. are spawned in family businesses, according to the Center for the Study of Taxation.

So what's the point of the tax? Liberals point to the large sources of wealth exempt from income taxes—municipal-bond interest, life insurance, unrealized capital gains. Estate taxes are a backstop, they say. Yet it's clear that lower estate-tax rates would raise more money from wealthy tax avoiders. The current irrational policy is motivated by sheer envy.

—ED RUBENSTEIN

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themselves or others is meretricious nonsense. Civilized peoples have long banned incest, polygamy, and other forms of "reproductive freedom." Nor is a ban on scientific technology without precedent. It is, for instance, against the law for individuals to produce weapons of mass destruction. The prospect of a human cloning industry is every bit as threatening to the future of the human community. Rogue scientists may try to evade such a ban, but the law can provide severe punishments that will discourage them from publicly claiming credit and posing as bold pioneers of scientific "breakthroughs."

An effective ban must also include research aimed at human cloning. In particular, the prohibition against the creation of human embryos for research purposes—which the Commission would mistakenly overturn—must be maintained and strengthened. Such so-called pre-implantation embryos are in fact unimplanted embryos. They are human and they are alive. To create developing human lives simply in order to use and then discard them is morally unconscionable. Have no illusions: Cloning is the manufacture of human beings for the use of other human beings, and its nightmarish implications are not the stuff of science fiction. The technological imperative that says whatever can be done must be done, combined with vast financial interests and a propaganda machine that exploits popular sympathy for people who want a baby of their own design, makes the nightmare almost inevitable—unless we draw the line now.

The Week in Verse

Against the *Germans*, as against the *Japs*,
Victorious by habit in their scraps,
Our men in uniform have kept us free
And uniformly sans adultery.
Now *Ralston*, guilty of that ghastly gaffe,
Can no more hope to head the *Chiefs of Staff*—
His head's the price of keeping discipline
(And making up to soccer moms for *Flinn*).
Is this now what we mean by strong defense,
Appeasing feminists with recompense
For every ruffled feeling suffered when
There's some new hint they aren't just like men?
Ah, well, at least our soldiers won't be led
By one who disrespects the marriage bed!
They'll fight once more as they have always fought
Under commanders who have not been caught.

E'en caught, a pro-choice *Democrat* atones
(That's if he can't scare off some poor *Ms. Jones*)
Like *Kennedy*, with an apology,
A broken voice, and promises that he,
However much his women may him tempt,
Will hide, henceforth, his indiscreet contempt.

But, statesmanlike, our *President* still can
Extol the virtues of the *Marshall Plan*
As his ideal of generosity
To foreigners who're yearning to breathe free.
Yet foreigners are governed now, like us,
By socialists of sentiment, and thus
In *France*, as *Britain*, where they now hold sway,
Plot *Revolution* in the working day,
Protect, of those who suffer life's hard knocks,
Not welfare moms but every hunted fox.
The world now sings in perfect harmony,
While *Canada*, of rich *Diversity*
Our moral template—th' *U.S.* with a heart—
Looks more and more as if 'twill break apart.

—Juvenal

Airing Differences

A NATIONAL Research Council panel has delivered up one of those weighty reports on clean-air regulations and how they affect city planning, which concluded drily: "The accuracy implied by the interim conformity regulations issued by [the Environmental Protection Agency] . . . exceeds current modeling capabilities. The net differences in emission levels between the [highway] build and no-build scenarios . . ." are typically smaller than the error terms of those models. In other words, the EPA uses unreliable data to override state and local representatives over whether that highway through town should be widened, or local people forced to carpool, or dry-cleaners closed down. It claims its complex modeling of airsheds can tell the impact of different kinds of construction on auto emissions, and gives thumbs up or down to these local projects based on the results of such modeling—which, the NRC now tells us, is all a sham.

The EPA has outdone itself with its recent proposals for tighter clean-air standards. It is flying in the face of harsh criticism from its own Scientific Advisory Committee, from virtually all other agencies of the Clinton Administration, and from leading Democratic figures in Congress. George Wolff, the atmospheric scientist in charge of the Scientific Advisory Committee, said in recent Senate testimony that only 2 out of 21 committee members endorsed standards as stringent as the EPA proposes. Prescribed ozone attainment levels in the West and Southwest are below background levels.

Congressional Democrats have signed on in large numbers to a letter from Rep. John Dingell (D., Mich.) to EPA Administrator Carol Browner which says the proposed regulations will "with a stroke of the pen" put four hundred additional counties into "non-attainment" and that this will mean "the vast majority of the nation's urban and suburban areas will face an indefinite future of growth restrictions and potential disruption of highway funds and other sanctions."

It is not in Bill Clinton's nature to cling to extremist stuff such as the EPA is serving up. The only explanation for the White House's letting the agency run wild is Al Gore. Light up—er, lighten up, Al.

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We Were There

WHEN the history of the twentieth century is written by some future Thucydides, its outlines will be clear. The United States heroically stood in the path of totalitarianism, Nazi and Communist, and in the end erased it.

The assumption behind Truman's "containment" policy, lucidly set forth by George Kennan in his "long telegram," was that if geopolitical stability could be achieved in Europe, time would work in favor of the Western democracies and against the Soviet Union. Kennan vastly underestimated the time this would take and eventually lost his nerve, but his earlier analysis was correct.

Announced at the 1947 Harvard Commencement by Secretary of State George C. Marshall, the "Marshall Plan" was much more than a blueprint for the economic recovery of Europe. It meant that the United States would not go home again as it had done in 1918, and intimidation by Moscow would not work. Truman made this clear to Stalin by defeating the Berlin blockade, and by going to war in Korea to contain Soviet policy in Asia, not exactly a cold war.

As John Lewis Gaddis argues luminously in *We Now Know*, Soviet geopolitical expansionism launched the "cold war," and the United States' containment strategy won it. In a final act of refusing to be intimidated, the Reagan Administration answered Gorbachev's installation of intermediate-range missiles with our Pershing IIs. Suddenly, the house of cards collapsed in 1989, the most stunning geopolitical victory in history. George Marshall was present at the creation. Let us celebrate his memory at the close.

NOTES & ASIDES

■ Memo to: WFB
From: LB

Reid [Buckley] called to tell me a) that he has received more letters and phone calls about his piece on the passing of the Old South (April 21) than about any other single piece he can remember; but b) that most of these have been occasioned by his having confused the Stars & Bars with the battle standard of the Confederacy.

It turns out that the flag most poor Northerners like me think of as the Confederate flag (the crossed diagonal bars with stars inside them) is actually the battle standard; whereas the Stars & Bars—the official flag of the Confederacy—is constructed more like the U.S. flag, but with only two wide red stripes separated by one wide white stripe, and with seven white stars on a blue field in the upper left corner. Got it? Linda

Dear Linda: Sort of. Why not a colored sketch? The museum in Richmond should have one? XX Bill

■ Dear Mr. Buckley:

In going over a looseleaf folder kept by my late mother I came across the enclosed, neatly typed out but without reference to where it came from. Can you or any of your readers place it? Could it be P. G. Wodehouse? Evelyn Waugh?

> "I had a letter from Lady Beech saying, What a pity, as we must all so soon be dead, that we shouldn't all be going on to the same place afterward. What really happens to us heretics?"
>
> "You pop straight onto a gridiron and there you baste to eternity—"
>
> "Baste?" said Sophie.
>
> "Baste. Whenever I have time, perhaps say once in a million years, I will bring you a drop of water on the end of my finger. Apart from this, your pleasures will be few and simple."
>
> "What I'm wondering is," said Rudolph, "how much you and Lady Beech will enjoy such purely Catholic society for so uninterrupted a spell?"

Carolyn Semple
Pasadena, Calif.

Dear Mrs. Semple: Sorry, don't know. Great lines. If we find out, will advise. Cordially, WFB

■ Numero Uno—

Just a note to pass along a word of praise for A. Tappen Soper's piece in the issue of March 24 ["Head above the Clouds"]. It was as nearly perfect a piece of narrative writing as I have ever come across. Textbook quality.

Question: Is *convicted felon* a redundancy? It turned up in Thomas McArdle's piece [same issue] on Al Gore's voting mill. A felon is defined as one who has committed a felony, but as a matter of libel law how may we risk saying that an O. J. Simpson is a felon if he hasn't been convicted?

Aff., as always,
Numero Dos
[James Jackson Kilpatrick]

Dear Jack: We are pleased you so greatly enjoyed Mr. Soper's fine piece. We'll run it every year in your honor. . . . On the second point, there isn't really any problem, is there? OED gives as one definition of felon, "A vile or wicked person, a villain, wretch, monster." Because you write so widely on the law and on language, you are a little straitened by formal rules, as when in the first edition of *The Writer's Art* you disallowed "a very long day." Surely we don't need jurisprudential processing to label a monster a monster? O.J., if you want the last word in precision, is correctly defined, is he not, as an unconvicted felon? XX Bill

—WFB

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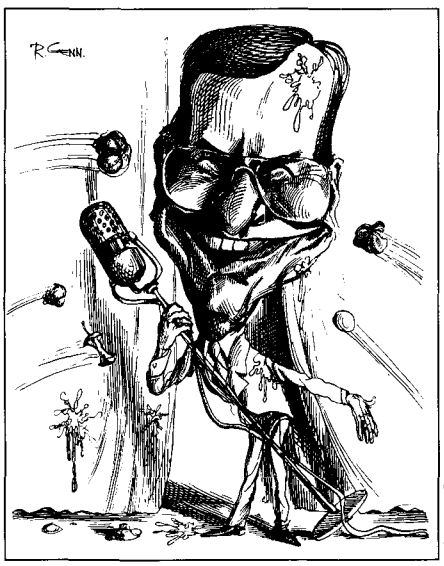
CAPITAL SCENE

Dole Redux

RICH LOWRY



Roman Genn

WASHINGTON, D.C.

WHEN Majority Leader Bob Dole resigned from the Senate last year, some twenty Clinton judicial nominees were pending confirmation. Conservative groups had feared Dole would sweep them all through in a final act of bi-partisan comity, and so breathed a sigh of relief when Trent Lott took over. But during July and August Lott pushed most of the judges through, bartering them for Democratic cooperation on the other matters. At one point later in the session Lott wanted to trade the confirmation of another batch of judges for a Republican Federal Election Commission nomination, a deal that was scotched when the FEC nominee himself told Lott it was a rotten trade.

Last year's action on judges has turned out to be a harbinger: of how Lott would be bent by the same institutional forces that shaped Bob Dole, of how his pragmatism would come to the fore as Senate Majority Leader, of his current tense relations with conservatives. Lott seems a natural as Majority Leader. Says one GOP senator: "He has the potential skills of a Lyndon Johnson." But, so far, the Majority Leader with whom Trent Lott is being compared most often is Bob Dole—and not always favorably. Republicans had hoped that Lott could help the party stop its headlong retreat; instead he has hastened it.

Lott spent almost all his life climbing toward Majority Leader. He grew up in circumstances similar to Bill Clinton's, in a small town in Mississippi with an alcoholic father. Lott was an achiever from early on. In high school, he was voted most popular, most likely to succeed, and most handsome (runner-up). At Ole Miss, Lott became a cheerleader, an elected position. "Running for cheerleader was electioneering practice," one retired Ole Miss professor explained to the *New York Times*. "To get elected, they formed political blocs with other fraternities, cut deals, and did dorm-to-dorm precinct work."

In 1968, soon after law school, Lott moved to Washington. He became an aide to Rep. William Colmer, a conservative Democrat, and when his boss retired in 1972, won his seat as a Republican. Along with Newt Gingrich, he became part of the cadre of aggressive young Republicans in the House minority, rising to Whip in 1980. In 1988 he won a Senate seat. He chafed under Dole's cautious leadership and after the 1994 election knocked off incumbent GOP Whip Alan Simpson, setting the stage for his ascension to Majority Leader last June.

In Lott's persona Felix Unger meets Katie Couric, a neat freak with the contagious optimism of a cheerleader. He loves charts and lists, is always well-pressed, and has the tightly controlled hair of a newscaster. But the cheerful Lott also has a prodigious ability to be one of the guys. "Watch him on the floor," says a Senate aide. "He shakes hands, points his finger, winks, squeezes a neck—and that's just in the first two minutes." Says another: "Lott thinks, If I can touch this person, and touch that person, I'm OK—and I'm off to the next thing." Generally he's right. But the latest questions about Lott's leadership can't be winked away.

They are questions difficult to imagine asking a year ago. Inside the Senate, the word most associated with Lott's tenure as Majority Whip is "brilliant." He had a hound's nose for trouble spots and a tight organization that reliably delivered votes. When Lott stepped in as Majority Leader last year, he thought it was imperative that he clear away the legislative tangle he inherited, pass bills, and get his Republican senators home to campaign. "He hit the ground with a whole lot of mess and backlog," says Sen. Rick Santorum (R., Pa.), "and did a masterful job in moving forward on things."

The flurry of legislation and quick exit are generally credited with helping Senate Republicans pick up two seats. But Lott doesn't seem to have adjusted his operating principle—do any deal—since last year, which is raising increasing alarm about his negotiating ability and strategic sense. "I'm a great admirer of Trent's," says former Sen. Malcolm Wallop. "I'm willing to give him yards of grace in this thing, but I'm awfully worried." Inside the Senate, there has even developed a nostalgia for Bob Dole. "I don't think he realizes there's a problem," a Senate aide says of Lott. "Senators like him, they want him to succeed, but they're disturbed."

What happened? To some extent, a Senate Majority Leader is always forced to be a conciliator. But Lott also has weaknesses that had gone unnoticed. "There seems to be no long-range planning," says one GOP aide. Like Dole, Lott keeps his own counsel. He seeks advice, but no one is sure he actually listens. (Lott fusses with his fingernails when he's bored.) And he often ignores his own staff, meaning he lacks the trusted advisor Dole had in his chief of staff, Sheila Burke. The self-reliance tends to undermine Lott's discipline.

More fundamentally, Republicans may have misread Lott. "The confusion with Trent," says a GOP insider, "is that people started with an assumption that he is Right of Right-Center, when really he is Right-Center and likes passing stuff." Dick Morris—a former Lott

Mr. Lowry is NR's national political reporter.

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consultant, who kept in close touch with him in 1995–96 while working with President Clinton—writes in his book that Lott "is a politician first and a conservative second. He sees ideology as a guideline, not as a straitjacket, and wants to pass laws, not stand true to dogma." According to Morris, Lott's "goal in the Senate is to prove that the Republican Party can govern and pass laws."

Indeed, most of Lott's year as Majority Leader has been spent proving his bi-partisan bonafides. He gave controversial Labor Secretary Alexis Herman a pass. Then he worked to pass the Chemical Weapons Convention over the opposition of critics in his own party. Opponents of the CWC fear that it will provide an unverifiable seal of approval to dangerous countries like China and Iran, which then can leverage the information-sharing provisions of the treaty to get access to Western technology. This year, Lott pledged to stand with treaty opponents—sort of.

"Trent was always careful to couch what he said in a way that left him an out," says one observer. "From the very beginning his political instincts were to end up supporting it." Foreign Relations Committee Chairman Jesse Helms, a CWC critic, agreed to bring the treaty to the floor on a condition: that Lott oppose the CWC unless protections Helms had added—against things like technology transfer—stayed in the treaty. In the end, they were all stripped out—but Lott voted for the CWC and delivered the votes for its ratification anyway.

Lott got cover from a White House letter vowing to withdraw from the treaty if it becomes a threat to the United States. A carefully hedged, nonbinding fig leaf, the letter was nonetheless hailed by Lott as a major breakthrough that made the Helms protections unnecessary. Lott pressed the letter on fellow senators the morning of the CWC vote. Later in the day, he officially abandoned his neutral pose on the CWC and brought eight or so swing votes with him. "We felt we couldn't afford to let Lott lose," explains a GOP senator. "It would just unravel our leadership in the Senate."

"For Lott," says a GOP aide, "the CWC was never more than a bargaining chip." The Majority Leader told the *Washington Post* after the vote that it was now up to the President to "show similar courage against his base." Roughly a week later, a budget deal was announced, but with little quid to balance the pro quo. "If he got anything for his sellout on the CWC," says a Senate aide, "Lord knows what it is."

"None of us," says Sen. Slade Gorton (R., Wash.), who is close to Lott, "not Trent, not Domenici, not me, not any of the rest, is a great enthusiast for this agreement." But that didn't stop Lott from saying, the day the deal was announced, that "because of what we do here today, this country can look forward to an era of prosperity," that the budget will be "revolutionary in the individual lives of the American people," etc. A Senate aide says of the leadership, "they built a euphoria that sucked people in before they knew the details. There's nobody who's happy about this. There's nobody who doesn't think Lott was taken to the cleaners."

Lott often has been reluctant to face down Democratic challenges.

"It's clear to me," says budget critic Phil Gramm (R., Tex.), "that the President was a lot more focused on policy than we were, and as a result the deal gets progressively better for them and worse for us." In early briefings to fellow Republicans, Lott seemed evasive on key policy questions. He wouldn't answer whether he had agreed to $35 billion for Clinton education credit over five years or ten. In the fluid days after the agreement, the Administration quickly established that the $35 billion was indeed for five years—a number that cuts deep into GOP tax cuts.

The current challenge for Lott is to prevent even further erosion of GOP priorities. No sooner had he secured the pledge of the Democratic leadership to vote against all amendments that would break the budget agreement, than Tom Daschle was announcing his support of the Hatch–Kennedy amendment to add a $30 billion cigarette tax. "Lott is wearing a kick-me sign," complains one GOP aide. Lott managed to get the White House to provide half-hearted opposition to Hatch–Kennedy. "It was not an impressive performance [by the White House]," Gorton says dryly.

Lott has often been reluctant to face down Democratic challenges, partly as a matter of temperament. The orderly Lott wants the Senate to run smoothly. That means giving in to Democratic demands in order to avoid nasty spats and late-night sessions. He has been reluctant to have Republicans "second-degree" Democratic political amendments—i.e., bump them with political amendments of their own—for fear that the Democrats will offer their amendments again and again. It means Democrats often play pure politics unchecked. "It's as if they have a God-given right to torture us on the Senate floor," says one GOP staffer.

But Lott's deal-making and cooperation are also dictated by a larger political idea: that bi-partisan accomplishments offer the best hope for Republicans to enlarge their majorities in the House and Senate. For Lott, governance—like his life—is about achievement; he wants the congressional GOP to be voted the party most likely to succeed. This means a centrist politics of blurred differences of the sort advocated, in varying forms, by his two controversial consultants, Dick Morris and Frank Luntz (Lott recently has distanced himself from both).

With a number of vulnerable Democratic seats opening up in 1998—in South Carolina, Kentucky, and Ohio among others—the GOP may make Senate gains even running on a undistinguished, centrist program. But there are risks. As Sen. Mitch McConnell (R., Ky.), head of the Senatorial Campaign Committee, has warned his colleagues, without a set of cutting partisan issues it will be difficult to motivate Republican base voters in 1998. And it's turnout that makes the crucial differences in off-year elections. Much of Lott's action this year has served either to demoralize the base of the party or, in the case of his defense of Kelly Flinn, positively to enrage it.

Senate conservatives hope recent criticism from the Right will make Lott warier of offending conservatives. It may well do the opposite. Lott recently stripped harsh critic Paul Weyrich of a privilege that made it easier for the activist, recovering from a back injury, to make it around the U.S. Capitol. Lott doesn't take criticism well. GOP operative Ed Rogers, a close Lott confidant, lashes out at the Majority Leader's critics. Of a recent George Will column shredding Lott's Flinn comments,

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Rogers says: "Where does he get off writing that article? That was written by an enemy, not a critic." Rogers refers to conservatives as "they": "They don't have an agenda, nor do they have a clear sense of reality in dealing with Bill Clinton."

Lott's Majority Leadership is still a work in progress, but early indications are that it will be a reprise of the days of Bob Dole, when a legislative tactician with a taste for deal-making and cool relations with the GOP's grass-roots muddled from one compromise to the next. If Lott succeeds in solidifying the GOP hold on Congress on his current model, it will be as a status-quo congressional party in the tradition of the Democrats in the 1980s. That would bring a stop to Lott's career climb. "I already think his presidential hopes have been flushed down the toilet," says one GOP insider. And it would only serve to heighten the party's identity crisis. Lott's leadership apparently owes something to his Ole Miss cheer: "Hotty toddy, gosh almighty, who in the hell are we?" □

Dreamer on a Caffeine Jag

RAMESH PONNURU

Roman Genn

WASHINGTON, D.C

"I'VE sat here now for, I don't know, a good 45 minutes and you haven't seen me jump around," says Rep. John Kasich (R., Ohio), tapping his desk impatiently. This modest boast is his way of expressing irritation with claims that he's hyperactive. Every profile quotes an Ohio colleague who dreads flying home with him when weary. A Northeastern Republican says, "He gives the impression of a guy who should ease up on the caffeine." Kasich's defense: "If you don't have energy, you can't move a mountain."

Kasich's energy has made him one of his party's most sought-after speakers. He infects gatherings—of Republicans, Christian conservatives, Perotistas—with enthusiasm. Their enthusiasm might in turn lead him to run for President in 2000.

A presidential campaign in 2000 would be the longest of shots for Kasich—nobody has ever moved from the House to the White House—but it might also be the best chance he'll ever have. As former RNC chairman Haley Barbour notes, Republicans are going to have "the most open nomination contest since 1940." And Kasich is blocked in Ohio: the GOP establishment has already settled on candidates for senator and governor next year.

Kasich's following includes many young Republicans. "I think I've been given a gift of being able to communicate to young people. . . . I'm astounded by it at times," he says. He's 45, but he listens to the same music I do (I'm 22) and goes to rock concerts. Noting that the grunge band Soundgarden had broken up, he said, "I'm in semi-mourning about that."

The enthusiasm Kasich inspires is particularly impressive since he came to prominence by promoting detailed budget cuts—hardly a crowd-pleaser. In 1993, he devised an alternative to President Clinton's budget that relied on spending cuts to reduce the deficit. Later he teamed with then-Rep. Tim Penny (D., Minn.) to propose cutting 1 per cent of federal spending; they came close to defeating the weakening Democratic establishment.

When the GOP took Congress, Newt Gingrich made Kasich chairman of the Budget Committee and thus leader of the crusade to eliminate the deficit by 2002. "I am the budget man," he told a Christian Coalition conference in 1995. In case his identification with the budget was in doubt, he treated himself as an item within it: "If I happen to be a program that the Republicans like, there shouldn't be any bias towards it . . ."

In his appeal to youth, his energy, and his quirky egalitarianism (of which more later), Kasich is reminiscent of that GOP golden boy of yesteryear, Jack Kemp. The comparison may seem inapposite: Kemp is a supply-sider and internationalist, Kasich a deficit hawk with an isolationist streak. But just as Kemp defined the thrust of the Republican Party in his heyday, so does Kasich today. Both have received great press; both go the extra mile to curry favor with influential liberal reporters.

And both are bundles of contradictions. Kemp was the pro-union supply-sider, the economist jock, the "bleeding-heart conservative." Kasich is a fresh voice who's been in politics since college and a "compassionate conservative." Both are accused of being narrowly focused on one aspect of economic policy: Kemp on tax cuts for growth, Kasich on spending cuts to balance the budget.

As with Kemp, much of this criticism is unfair but not unfounded. Kasich's arguments about the immorality of debt and the stimulative effect of deficit reduction are "gibberish," says supply-side guru Lawrence Kudlow, who likes Kasich personally. Kasich has occasionally indicated support for raising income taxes on the rich. In the debate over the design of the Contract with America, Kasich opposed repealing the Bush–Clinton tax increases. After initial hostility he came to favor a $500 tax credit for children, which supply-siders disdain as social engineering through the tax code. And Gingrich sided with him against Dick Armey, who wanted to cut tax rates.

Supply-siders are also frustrated by the failure of congressional budget-writers to adopt "dynamic scoring," which would take account of the pro-growth effect of tax cuts. Kasich says, "You know, I'm the one who convened the meeting two years ago on the issue of dynamic scoring." True—but the hearings were so stacked against it that a liberal Democratic staffer confessed that he wouldn't have changed a thing.

For all the criticism, Kasich has included capital-gains tax cuts in his budgets for years. He defends the child credit on non-economic grounds—"Tax

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cuts to me are about values and about power." But he concedes, "If I had to do the child tax credit over again . . . I would probably try to make it a more growth-oriented tax provision."

He has critics on defense, too. Kasich describes himself as a "cheap hawk" at a time when analysts are worrying about the return of the "hollowed-out military." He was the leading GOP opponent of the B-2 bomber. He broke ranks to vote against missile defense, helping to hand the Contract its first defeat; that cause has languished ever since. (He later said he had misunderstood the vote.) If Kasich's largely anti-interventionist foreign policy were to prevail, shrinking the military might be less dangerous. But troops were deployed to Bosnia over his objections. And he himself seeks sanctions against China—which makes sense only if he expects or wants conflict.

Kasich's fiscal record is more of a mixed bag than his image suggests.

On other issues, Kasich is best described as a nervous conservative. He voted for Clinton's 1994 crime bill and supported its assault-weapons ban. He took longer than most Republicans to come out clearly against the Clinton health plan, worried that opposition would be a political loser. Last year, he advocated passing health-insurance regulations to address the gender gap. On race and gender preferences, he backs Gingrich's stance of cautious opposition. It is on fiscal questions that he shows boldness, as in his crusade against corporate welfare.

Even Kasich's fiscal record, however, is more of a mixed bag than his image suggests. He has supported the National Endowment for the Arts. One would expect a budget hawk to support the budget reforms proposed by Rep. Chris Cox (R., Calif.), which would rationalize today's haphazard process and eliminate its pro-spending bias. Yet he has, in effect, opposed them because the current system makes the Budget Committee chairman a major player.

In short, it's often hard to predict where Kasich will come down on an issue. If there *is* a connecting thread to his political thought, it is populism rather than conservatism. Don Fierce, a friend and advisor, says, "John does believe that there are elites out there that are screwing the average guy." Unlike most conservatives, he does not define that elite in terms of cultural liberalism. He is the rare Republican who laments the gap between rich and poor, stagnant wages, and CEOs who get bonuses while laying off workers.

Kasich's anti-elitism, budgetary zeal, and willingness to make cross-party coalitions come together on the issue of corporate welfare. But they don't add up to a coherent framework to evaluate policies of the sort that Jack Kemp, for all his flaws, has.

Without one, Kasich's positive qualities can become politically dangerous. His tirelessness, enthusiasm, and sunny disposition have done much to fixate the Republican Party on balancing the budget. But that obsession has served neither the party nor conservative goals well. Republican momentum peaked before they set their sights on 2002.

He has been a devout Christian since a drunk driver killed his parents a decade ago, and his politics increasingly exhibit a spiritual dimension. He advocates a charity tax credit, for instance, to combat the secularization of American life. But his remarks on the subject suggest something less than serious reflection. At last year's Republican convention, he said, "Our program is about . . . sending a clear message to God that He is being invited back into American life." (Better focus-group that message before trying it on Him.)

His sensibilities, if not his politics, remain mired in the Sixties. Take this riff on "the future of politics" from a June 5 appearance on Chris Matthews's *Hardball*: "It really, Chris, is about soul, it really is about listening, it really is about healing, it really is about bringing people together, it really is about giving people some hope, making them dream, you being a dreamer, letting them know what your dreams are. It's about opening yourself up. It's about bringing this society back together, but I don't think that's just where the politicians have to be in America. I think it's what's happening all over the world."

GET ready for a lot of listening and healing in 2000. Some GOP insiders want Kasich to run an unconventional campaign that would use alternative media and draw new voters, especially young people and Reagan Democrats, into the Republican primaries. He would try to break corporate America's grip on the party—a prospect to savor. As Arianna Huffington, a Kasich fan, puts it: "If he runs a conventional campaign, if he follows the polls and the focus groups, why bother?"

This vision of a noble campaign, based on telling hard truths without spin, sounds more like fantasy than strategy. The diction of Kasich's boosters is disconcerting: one refers to him affectionately as "little Johnny Kasich," while another thinks it would be "fun" to work on his campaign. It's as if they're organizing a race for Student Council president. After eight years of Clinton, however, the country may be tired of public professions of personal piety, of emotive excess, of youthful irreverence.

Whatever Kasich's prospects, they would surely be worse if he squandered his political assets. Yet the bi-partisan budget agreement, which Kasich has been praising to the skies, calls both his sincerity and his commitment to budget-balancing into question. It raises the deficit today with the promise that it will be cut tomorrow; yet Kasich brazenly denies that the spending cuts are "backloaded." He claims to have cut domestic spending because the government could have spent more—exactly the baseline budgeting he once denounced.

Budget rules under which tax cuts have to be "paid for" by tax increases or cuts in entitlement programs continue to stymie attempts to cut either taxes or non-entitlement spending. In the *Wall Street Journal* and my interview, Kasich claimed that the agreement was "silent" on whether to keep these illogical rules. In fact, as the text of the agreement and the Budget Committee's own report repeatedly make clear, the deal extends those rules until 2002.

At best, the deal represents the triumph of the appearance of achieving something over actually achieving it. Kasich's backing of it is like Jack Kemp endorsing higher taxes. Sen. Phil Gramm (R. Tex.), the leading opponent of the deal, says, "I think John decided at some point that he was going to do this deal and at that point he was not interested in the facts or what I had to say." Gramm still describes himself as an admirer. As for 2000, he says, "We could do worse than John Kasich and probably will." □

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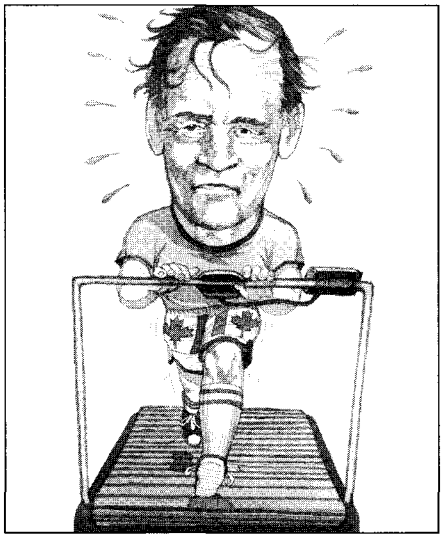
ON THE SCENE

Canada Balkanized

KEVIN MICHAEL GRACE



Frederick H. Carlson

EDMONTON

PRESTON Manning had love on his mind. The leader of Canada's Reform Party related that his wife, Sandra, sometimes asks why he doesn't tell her he loves her. Manning replied: Isn't it better to say it with deeds than with words? The 2,500 supporters in an Edmonton stadium on May 27 might have thought they had wandered into a John Bradshaw workshop by mistake. Could this be the "bigot" whose "divisive" message had provoked fears of civil war? But when the votes were counted on June 2, Canada had to ponder what Manning's tough love might mean for a fractured country.

Though Prime Minister Jean Chrétien was re-elected, his Liberal Party took only 38 per cent of the popular vote. Against a splintered opposition, that was enough for 155 seats—a slim majority out of a total of 301. The separatist Bloc Québecois took 44 of Quebec's 75 seats, and the socialist New Democrats took 21 seats.

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But the real story was the continuing realignment on the Right. Manning's Reform Party took 60 seats with 19 per cent of the vote, and became the official Opposition. The Progressive Conservatives—Canada's traditional alternative to the Liberals—rebounded to 18 per cent and 20 seats, up from 2 in 1993. Yet the PCs seem finished. Leader Jean Charest attempted to woo soft separatists in Quebec, yet won only 4 seats there. In their historic stronghold of western Canada, the PCs have been displaced completely by Reform. And in Ontario—the most populous province, where elections are won or lost—they took only a single seat. Their gains were made in Atlantic Canada, where Charest excoriated the Liberals from the Left for cutting income transfers.

Like George Bush and Bob Dole, the PCs have learned that the wages of pragmatism are death. Yet the touchy-feely Manning is himself an odd kind of pragmatist. Less a conservative than a prairie populist, he says MPs exist solely to express the will of the electorate; if constituents support abortion, or euthanasia, their representatives are duty bound to vote in favor, or resign.

But if Manning is not conservative, Reform voters are. Reform's bedrock support is disaffected Conservatives in western Canada. The party once reflected this by calling for policies such as lower immigration. Manning abandoned this position years ago. Yet the party still opposes Canada's official multiculturalist policy—and to the deputy prime minister (and the media), this was enough to make Manning "Canada's David Duke."

In the last few years the 54-year-old Manning has set about transforming both his own and his party's image. He capped his teeth, had laser surgery on his eyes, dyed his hair, and took lessons to lower his voice—which, alas, still resembles a parrot's strangled cry. In a new wardrobe of casual European clothes, spouting talk of how Sandra persuaded him to "express" himself, Manning has gone from policy wonk to New Age Sensitive Guy.

His party was a harder proposition. Reform voters have long been traduced as old, white, and angry. So Manning's strategy was to show that his party had become young, multicultural, and party-hearty. Thirty candidates under thirty years of age were nominated, and a discomfited Manning suffered through an interview on MuchMusic (Canada's equivalent of MTV) by a hostile 17-year-old.

Courting the immigrant vote, Manning selected immigrant candidates, but these turned out to be something of an embarrassment. One, a Sikh, was reported to have been an advisor to Liberian dictator Samuel Doe. Unimpressed, immigrants, now 16 per cent of the Canadian population, continued to vote Liberal. And indeed, it was immigrant enclaves in Vancouver, Toronto, and Montreal that nailed down the Liberal victory.

As the campaign began, the new non-threatening Reform and its immaculately coifed leader were leaving the voters cold. The Liberals enjoyed a 25-point lead in April, and Reform's support had fallen precipitously even in the West. Yet the Liberals were obviously vulnerable. At his opening press conference, Chrétien came down with a case of Ted Kennedyitis—he was unable to give a single reason why an election was needed 18 months before his mandate expired. And though Chrétien had been widely praised for his reduction of Canada's once formidable deficit, unemployment remained near 10 per cent.

The Reform Party's opposition to multiculturalism made Preston Manning 'Canada's David Duke'

Just as his party was being written off, Manning proved to be more Pete Wilson than Bob Dole. His survival instinct rose and he played the "national unity" card. During the leadership debate he scolded

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Chrétien, reminding voters that he had sleepwalked through the 1995 Quebec referendum, which the separatists lost by a whisker: "You almost blew it, sir."

Then Reform scandalized polite opinion by daring to suggest in an allegedly "American-style" attack ad that it was time for an English-Canadian prime minister. Only 25 per cent of Canada's population lives in Quebec, yet for 27 of the last 29 years, Quebeckers have been prime minister. The kicker: of Manning's opponents, Chrétien, Charest, and Bloc Québecois leader Gilles Duceppe were all Francophone natives of Quebec —a province that could soon depart.

Manning's vision of Canada as a federation of ten equal provinces threatens an end to what Peter Brimelow—in his prescient 1986 book—called *The Patriot Game*. For three decades, the establishment parties have ruled Canada by asserting that Quebec separatism (a movement the federal government has fostered) can be prevented only by increased federal powers and by the transfer of billions of dollars from the economically robust western provinces to the politically crucial eastern ones.

Manning was capitalizing on the most significant twist in recent Canadian history—English-Canadians have turned against the appeasement of Quebec and the bilingualism/multiculturalism it requires. By making unity the main issue of the campaign, Manning had assured his sweep of the West.

Doing so, he also revealed just how balkanized the Canadian political map has become. There are now four distinct regions—the West, Ontario, Quebec, and the Maritimes—and the Liberals won only one: Ontario. Here, nervous voters gave the Liberals 101 of 103 seats, and Reform was shut out. Chrétien can speak neither for the country as a whole nor for his home province, where he is detested. Another Quebec referendum will be held by the year 2000. If he remains prime minister, Quebec is as good as gone. Perhaps unwittingly, Manning has brought Canada to the brink.

What was foremost in his mind immediately after the vote? In a statement eerily reminiscent of yet another U.S. politician, Jerry Brown, Manning announced he would not move into the official residence of the Opposition leader and suggested it be turned into a bingo hall—the proceeds used to pay down the national debt. He still doesn't get it. □

Return of the Godfather, Part II

MARTIN AROSTEGUI

Roman Genn

MADRID/MIAMI

PERUVIAN President Fujimori's courageous decision to break the hostage siege at the Japanese Embassy in Lima in April may have frustrated some of Godfather Fidel's latest maneuvers to keep himself in power. As Peruvian commandos stormed into the compound, liberating 71 hostages from Cuban-backed terrorists, Castro's foreign minister was in Tokyo trying to extract a ransom payment from the Japanese government.

Evidence of Castro's complicity in the hostage siege was clear from the start, when it was widely reported that the leader of the Túpac Amaru Revolutionary Movement (MRTA), Néstor Cerpa, had been trained in Cuba. Castro's machinations to extract economic concessions from Japan, however, were largely ignored. Visits to Havana by Peru's embattled president and a host of Japanese officials were invariably treated as homage to Castro's statesmanlike efforts to achieve a "peaceful solution" to the crisis. Little light has been shed on the extortionist policies of Cuba's dictator, who has been Latin America's main beneficiary of terrorist ransom since collecting a record $50 million for the return of two Argentine industrialists in 1975.

Even State Department officials who tend to soft-pedal the Cuban regime's vast criminal enterprises admit that "there are clear signs that Castro was exploiting the MRTA's hostage siege to pressure the Japanese." Until relations broke down in 1986, Japan was one of Cuba's main trading partners outside the Soviet Bloc. Learning the same hard lessons as so many others who have tried to have normal dealings with Castro, Japan ended up paying for a lot of sugar it never received; eventually all trade credits and aid to Cuba were suspended.

According to highly informed sources, Castro was arm-twisting the Japanese for a resumption of credit lines and investment, and for forfeiture of Cuba's debt. In return, he would order the MRTA team to lift its siege, giving them asylum in Cuba.

Details of the offer were contained in a letter from Castro to Japanese Prime Minister Hashimoto delivered by Cuban Foreign Minister Roberto Robaina when he held high-level discussions in Tokyo on April 17. According to official Japanese government statements, "the focus of the discussions between Mr. Robaina and Prime Minister Hashimoto was the hostage crisis in Lima." In the same statement, the Japanese government went on to announce that it would immediately consider extending an unprecedented financial-aid package to Cuba.

The successful raid by highly trained Peruvian special forces five days later may have pre-empted a major deal. As it was, U.S. congressional sources maintain that "Castro's manipulation of the

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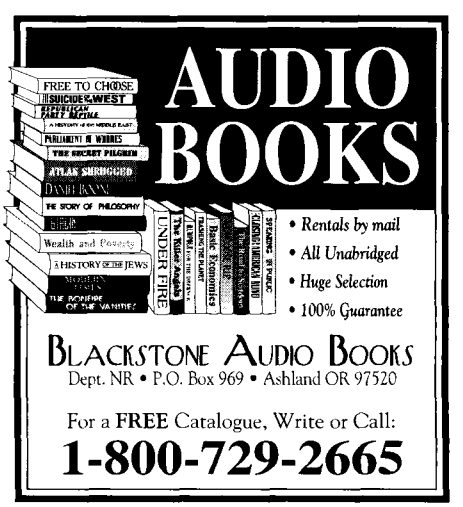

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drawn-out hostage episode allowed him to collect a substantial down-payment from the Japanese and re-open important diplomatic channels."

Castro keeps terrorists active in several Latin American countries where Japan has embassies. By the leverage he obtained in the Peru venture, Cuba's Al Capone may now be positioned to open up yet another front against U.S. efforts to isolate him economically.

The Helms–Burton bill tightening the U.S. embargo was mainly aimed at discouraging investment from Canada, Europe, and Latin America. The Japanese, having already had enough of Cuba's maximum leader, had not been major bidders in Castro's wild auction of expropriated U.S. properties. But seeing the friction which the strengthened embargo was causing between the U.S. and some of its main trading partners, Castro may have decided to further complicate the American position by bringing in a government that is conditioned to buying its way out of trouble.

It's hardly surprising that the tyrant who was the first ever to experiment with nuclear terrorism back in 1962 should try mugging the Japanese in his desperate efforts to bail out Cuba's sinking economy. Among the measures Castro has instituted recently in order to to suffocate growing domestic discontent, he has resorted to Pol Pot style "ruralization" of vast segments of urban dwellers, expelling them into the countryside to defuse potential unrest.

What is most remarkable is that the Clinton Administration has treated such a clear and present danger as a mere trade issue. It's becoming painfully obvious that, having won re-election, President Clinton plans to do nothing further to hasten Castro's ouster. A State Department official handling Cuban affairs candidly admits, "We don't supply any material support to the opposition against Castro inside Cuba. We are trying to get European governments with which Cuba has relations to help out the dissidents, but they aren't doing very much."

Media complicity can be relied on to drown out the struggling democratic opposition. Even the most vociferous congressional backers of the tightened embargo approved a special exception to allow CNN to open a bureau in Havana with the hope that expanded news coverage would give dissidents a much-needed outlet. But no news story on the proliferating opposition to Castro and the brutal repression of it has yet emerged. When an American congressman alerted CNN to the plight of an anti-government journalist who was being refused permission to leave Cuba, the network producers expressed no interest. Even after he had taken to sea in a raft, crashed into a rock, and watched his two daughters drown, CNN wasn't there.

It's hardly surprising that the tyrant who was the first ever to experiment with nuclear terrorism should try mugging the Japanese.

The board of censorship appears to extend into the White House, where National Security Council staffers brazenly state that "there is no official Cuban involvement in drug trafficking," even as Drug Enforcement Administration field officers tell journalists that over 50 per cent of cocaine entering the U.S. through Caribbean routes gets transshipped through Cuba.

Mounting evidence supporting a 1993 official finding that Castro's brother and defense minister, Raul, is the main Cuban link to the drug trade is being repressed. The *Miami Herald* gave extensive coverage to a case involving a drug dealer who was busted in Florida moving six thousand kilos of cocaine. Jorge Cabrera told DEA interrogators that he was personally dealing with Castro, producing a picture of himself next to Cuba's maximum leader at an official function. He offered his services for a sting operation in return for reduced sentencing. Without any further investigation, according to lawyers, the Justice Department accused Cabrera of lying and has shut him away for 19 years.

The DEA has been restrained from releasing the photograph of Cabrera with Castro, even though a picture of the drug dealer with Vice President Al Gore has been made public. The Castro-gate coverup might even be influencing the fate of important Cuban defectors. An Interior Ministry general who got out last year by commandeering a Cuban Air Force plane has been locked up in a U.S. military prison in Virginia and charged with hijacking.

"Clinton's Cuba policy has become a farce," says Florida Congressman Lincoln Díaz Balart, who believes that Castro's intelligence services are engaged in elaborate efforts to compromise the Administration by channeling campaign contributions, which totaled $156,000 last year. "Tightening the embargo will not in itself depose Castro if the White House emasculates all other efforts to overthrow him."

Instead Castro is coming to New York again this month for a UN "Environmental Conference." While processing his visa, some State Department officials nonetheless express alarm at the "upturned volume" of violent rhetoric in his recent speeches. "The last wish of a revolutionary," he told some of his Havana gang, "is pulling the trigger against his enemy, exploding a land mine."

The Godfather may have succeeded in intimidating Clinton, who appears so genuinely scared of causing a confrontation that he will do nothing further to rock Castro's boat. The President needs lessons from Peru's Fujimori on how to deal with terrorists. □

Reptophilia

ANTHONY DANIELS

BIRMINGHAM/LONDON

TWENTY years ago, I had a patient who kept a boa constrictor as a pet in his London apartment. My patient often went abroad, but as large snakes require feeding only once a month, his absence caused the snake no hardship. However, after the snake had grown to more than twenty feet, my patient became so terrified of it that he refused one day to return to his apartment.

"I suppose you've got what one might call a phoboa," I said, with the callow humor of youth.

Ever since then I have retained some-

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thing of an interest in those who sell and keep snakes and other reptiles. About ten years ago, I came across a shop in the prosperous London suburb of Twickenham called Respectable Reptiles. It was run by two evangelical Christians who, dissatisfied with their lives, had prayed for guidance as to what they should do next. God told them to open a reptile shop in Twickenham.

I next visited the Serpentarium in the wretched industrial town of Wallsall. I could not but notice how many of the customers were of the tattooed and body-pierced fraternity; besides their snakes they kept, I learned, tarantulas and scorpions. Not long after my visit, the owner of the shop was found floating in a local canal; and while the official version is that he jumped, many surmise that he was pushed.

Pursuing my desultory sociological enquires further, I spoke recently to a psychiatrist friend who specializes in drug addiction. She told me that the snake-keepers among her patients were mostly psychopaths. They kept snakes as a symbol of their toughness and outlawry.

It is, in fact, principally among drug addicts and pushers that the illegal trade in venomous snakes is carried on. It is not actually illegal to keep such snakes in Britain, but a license costing $200 is required under the Dangerous and Wild Animals Act of 1976 (until the passage of which there was no restriction on keeping a lion in a suburban back garden, though dog-owners still needed an annual license). About a thousand applications for such licenses are received each year, though it is not certain how many of them are for spitting cobras, puff adders, and the like.

One reptile-shop owner to whom I spoke recently couldn't understand the interest in such dangerous snakes. "Who'd want a venomous," he said, shaking his head in bemusement, "when you could have a nice python?"

The final stage in my reptilian enquires entailed a visit to Proteus, a charitable organization in Birmingham devoted to the rescue of maltreated and unwanted reptiles. When I arrived there I found one of the trustees and a fellow worker removing the sloughed skin of a 15-foot reticulated python with vitamin-C deficiency. Snakes over 8 feet long should never be handled by a single person, I was told; this python could kill a man with no difficulty.

The organization has two reptile ambulances, and receives an average of two calls per day from around the country. The work of the organization throws an oblique but lurid light upon the operations of human nature, at least in its British incarnation.

Four species dominate the rescue work of Proteus: bosk monitor lizards, green iguanas, red-eared terrapins, and reticulated pythons. Most people who buy pets do so on impulse, without realizing what is entailed in keeping them, such as expense and inconvenience.

Millions of red-eared terrapins were imported into Britain during the Ninja Mutant Turtle craze, selling for 80 cents each. Parents were reluctant to deny their children's whims; but when the wretched creatures grew, and quite literally bit the hand that fed them, or when articles in the newspapers and items on television publicized the fact that the terrapins harbored up to two hundred strains of salmonella, parents dumped them by the dozen into the nearest pond, canal, or stream, where they ate the local fish and died soon afterward.

Frederick H. Carlson

As for boas and pythons, those who buy them as "adorable" little snakes are alarmed at their tendency to grow large, even on a diet of as little as three or four rats or rabbits a month. (No reptile shop is complete without its rectangular slabs of frozen rodents, though psychopaths, I am told, prefer live to frozen pet food.)

Iguanas, though vegetarian, grow large also, and males have the unpleasant habit of sexually attacking menstruating women (thus giving a new meaning to *The Night of the Iguana*). Their popularity as a species is growing rapidly nonetheless: eight years ago there were 1,000 iguanas in Scotland; now there are 25,000.

Many iguana owners feed their animals incorrectly. They reason as follows:

Cats are pets.

Cats eat tinned catfood.

Iguanas are pets.

Therefore iguanas eat tinned catfood.

This reasoning is a fine tribute to the effects of universal compulsory education. But the fact is, catfood kills iguanas. Even those iguana owners who appreciate that the lizards are vegetarian are inclined to feed them on lettuce, tomato, and cucumber, and then are annoyed when they fail to thrive.

They are equally annoyed, however, when they do thrive, for then they grow quickly and require new cages, for which their owners, often precariously placed from the financial point of view, had not budgeted. Some dispense with cages altogether, and just put the lizards on top of their central heating system, causing burns. They are unwilling to pay the veterinary bills, and instead call on Proteus to remove and care for the offending animal. Proteus has a waiting list, never shorter than twenty, of iguanas which owners want to relinquish into its care. Sometimes owners impatient to be rid of the creatures threaten to kill them unless Proteus acts quickly: but it refuses to be blackmailed in this fashion.

I looked into a cage with a huge, fat lizard called a Nile monitor. It had belonged to a young woman who lived on her own in a single room. She wanted to exercise her monitor (which had grown larger and worse-tempered than she had expected), but found that once it was released, she couldn't get it back into the cage. Proteus came to her rescue.

No disillusioned reptile owner who calls upon Proteus ever blames himself for what has happened. He always blames someone else, usually the pet shop: he wasn't told that pythons grew so large, he wasn't told that reptiles needed a thermostatically controlled vivarium, he wasn't told that they harbored diseases or that they bit. One woman whose baby died after becoming infected with salmonella from the feces of the lizard she had let roam in the house blamed the lizard itself—believing it to be not only physically causative of her baby's death, but morally culpable as well.

Proteus teaches us an important lesson. When Pope (who lived in Twickenham, erstwhile home of Respectable Reptiles) wrote that the proper study of Mankind is Man, he was wrong: the proper study of Mankind is Snake. I have long suspected it. □

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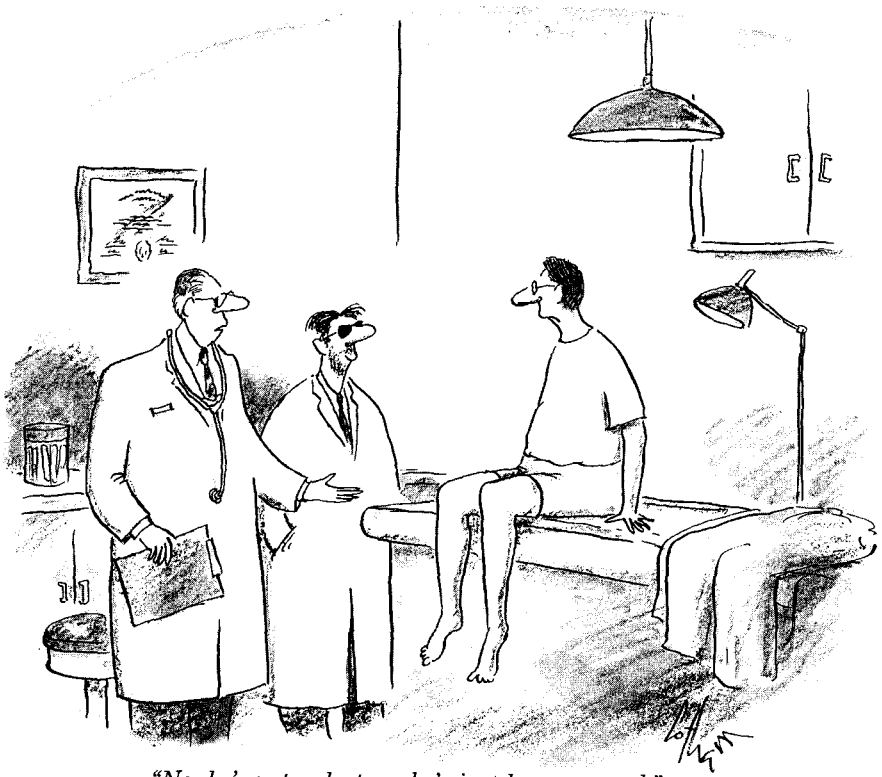
help!!!

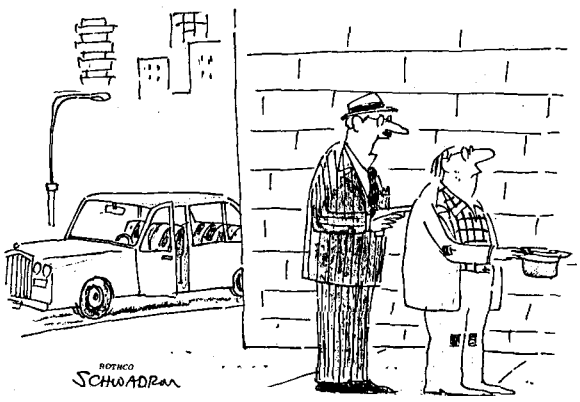
Pornographer

The life
of prurience
had left an ugly stain,
a brown discoloration in
his brain.

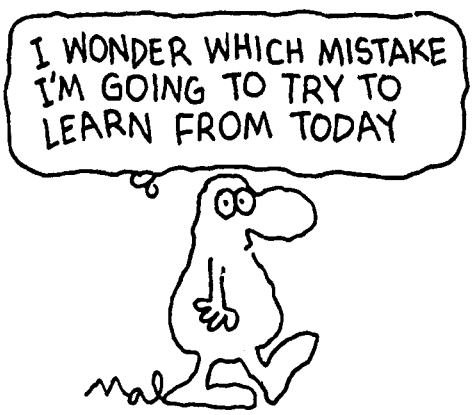
—Gloria A. Maxson



"No, he's not a doctor—he's just here to watch"



"Sorry, but that's the way the old ball bounces, isn't it . . . the rich get richer, and the poor get poorer?"



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"It's my secretary reminding me it's your turn to pick up the check."

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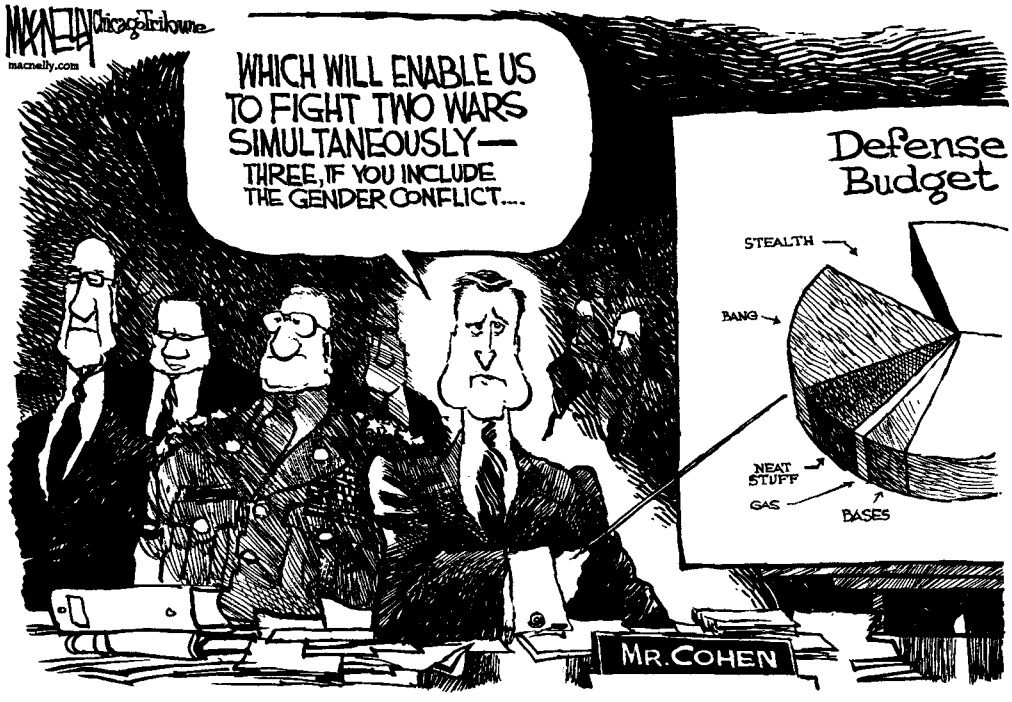

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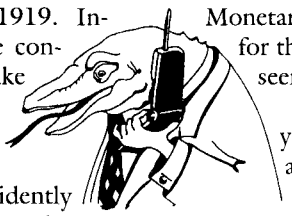
GEKKO

WHEN you read military history, you find that the timing of great victories and surrenders was often a big surprise to the winners. The U.S. Army was planning for a huge offensive against the Kaiser that was to be launched in 1919. Informed people believed the conquest of Japan would take place sometime in 1946. Defense Department war plans and budgets drawn up in the late Eighties confidently projected a continued Soviet threat throughout the Nineties.



As the faithful Gekko reader will know, I believe the launch of the Euro—the proposed single European currency—would be a disaster for the participants, and a threat to world trade and financial stability. I had come to think that the struggle against this creature was going to drag on until well into the next century. Helmut Kohl and Jacques Chirac had thrown up impressive political Siegfried and Maginot Lines in defense of European Monetary Union. "Convergence trades," or bets by my speculator friends that the policies imposed by the Maastricht Treaty to get the Euro going would drive all interest rates together, had rewarded the believers. As late as last month, I actually had an Italian supporter of the Euro laugh in my face at the suggestion that a delay or cancellation was possible.

I should have remembered those essays by Arthur Schlesinger on the permanency of Soviet rule. (I'm not sure Arthur does). On June ninth, the new French Minister of Finance, Dominique Strauss-Kahn, called for a delay in the signing of the European Union's "stability pact." France, he said, needed "probably more than a week" to approve the pact, which was due to be ratified in Amsterdam by June 17th.

This confession is much like Emperor Hirohito's announcement after Hiroshima and Nagasaki that the war situation had "developed in ways not necessarily to Japan's advantage." France does indeed need "more than a week" to contemplate signing the stability pact. The agreement would effectively require the new Socialist government to prostrate itself before the Bundesbank's idea of financial virtue which, in turn, would mean the instant abandonment of the Socialists' election promises. European Monetary Union is an essential ideal for them. Getting elected, it would seem, is even more essential.

This is just a delay, I hear you say. Surely they can put it all back together.

Not that easy. The schedule for the introduction of the Euro is set by treaty. If the governments miss it, it is very unlikely that the differing notions of what the Euro will mean would stand the test of public scrutiny and legislative or (in Germany) judicial approval.

In other words, the Euro would seem to be as dead as vaudeville. There will be fitful revivals, but they'll close pretty fast. There's good and bad news for the U.S. in this. It is likely that some countries, including France, will now react to their competitiveness problems by continuing to devalue their currencies. That means our exports to Europe will suffer somewhat. On the other hand, the Euro-imperial notion that the continent would take away some of America's attraction for the world's savings is likely out the window.

Bernard Connolly, the apostate Euro-official who is our favorite expert on Continental monetary policy, says, "The key point in Germany is that until now anybody who said the Euro was a non-perfect idea was branded a Nazi. Now respectable people are saying it."

"I realize a lot of banks merge, C.J. But I just assumed *we'd merge with another bank."*

It is a little known fact that Chirac had privately asked his Euro-allies back in March if they would be so kind as to postpone EMU. When Kohl refused, Chirac was forced to call early elections. He didn't know just how bad a disaster they would be. Now that both the French and German leadership are being forced to give up on a hard EMU and a powerful challenge to American "hegemony," they'll have to devalue in tandem.

So—my speculator friends can play this by shifting out of convergence trades and betting instead on a decline in, say, the Italian bond. Reversing those positions may prove to be a bit of a challenge even for such clever players as Long Term Capital in Connecticut.

■ I was trying to get some quotes on the palladium market in early June when the person on the other end of the line said "Look—don't you get it? There just isn't any metal around." Indeed, just when I thought the platinum group metals couldn't get any higher, they did.

Now, at the beginning of a long bull market, which is what we're facing in the PGMs, you can get some spectacular corrections, but that doesn't mean the rise is over. The panic on the side of the PGM bears has me a little nervous—things are almost too good at the moment.

Still, not many equity people believe in the PGM play just yet. So while the U.S. palladium/platinum mine, Stillwater, has moved to the American Stock Exchange, it's only moved up a couple of bucks to around $25 and change at this writing. Even if there's a short-term correction in the metal, I think SWC is heading higher.

■ An editing gremlin took over my little mention of Afghan pipeline politics in the last issue. For the record, I think that the Taliban should moderate their demands on the people under their control, and settle on a coalition government. Then we could get a pipeline to the Caspian energy reserves that wouldn't be under Russia's thumb. But the hard liners in the Taliban are not acting very nicely, so betrayal and revenge are having yet another day in that sad country.

—JOHN DIZARD

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JANET RENO'S DIRTY SECRET

Abusive Justice

The child-abuse craze has passed from the media spotlight. But many innocent people are still fighting for their lives.

RAEL JEAN ISAAC

ON January 14, two hundred people gathered in Salem, Massachusetts, to commemorate the three-hundredth anniversary of the Day of Contrition, a day of fasting and remorse proclaimed by the Massachusetts Bay Colony for the public hysteria and judicial misconduct that had led to "great hardship brought upon innocent persons" in what have come to be known as the Salem witch trials. Among those present were many of the chief participants in the struggle against their modern variant, the child-sex-abuse persecutions of the 1980s and 1990s, most of which have included charges of Satanic ritual.

In addition to the pioneering researchers on the suggestibility of children and a handful of journalists who had kept their heads while their colleagues wallowed in sensation, there were the victims themselves. Kelly Michaels was there, the young would-be actress who served 5 years of a 47-year sentence on patently ridiculous charges of sexually molesting virtually all the 3- to 5-year-olds at the Wee Care Day Nursery unnoticed by any of her fellow workers. A prize moment from the trial: a child describes being forced to push a sword into Miss Michaels's rectum and being politely told "thank you" when he pulls it out. Also present were Peggy Ann and Ray Buckey, accused in the McMartin case, the costliest criminal trial in U.S. history; Pastor Roberson and his wife, who supposedly turned their Baptist church in Wenatchee, Washington, into a site for mass sex orgies; Brenda and Scott Kniffen, who were each sentenced to 240 years in prison (and served 14 before their sentences were overturned) for participating in a nonexistent sex ring in Bakersfield, California; Violet and Cheryl Amirault, the mother and daughter who ran the Fells Acre nursery in Massachusetts, free after 7 years in prison, their sentences tossed out by an appeals-court judge.

While the presence in Salem of victims in some of the most high-profile cases suggested that the legal system was finally working, what their presence really pointed up was an anomaly: while appeals courts were throwing out the convictions of some of those unjustly imprisoned, they were arbitrarily denying so much as a hearing to others. Indeed, many were sinking ever deeper into the legal quagmire of their multiple life sentences.

Take the case of police officer Grant Snowden, North Miami Officer of the Year in 1983, who has now served 11 years of his five life sentences. He is one of several victims of false prosecutions for child sexual abuse ruthlessly pressed by Janet Reno when she was Dade County District Attorney, prosecutions which catapulted her from obscurity into a national champion of children.

Snowden's ordeal began in the summer of 1984. His wife, Janice, had provided day care in their home for 15 years. She became concerned when 3-year-old Greg Wilkes, whom she had cared for since he was an infant, arrived at the house several times with welts that suggested he had been beaten. (Greg Wilkes and all the other names of children used here are the pseudonyms employed in the court records to protect the children's identity.) Snowden confronted the parents, telling them he would report them to the child-welfare authorities if Greg appeared like that again. Greg's vengeful father struck first, accusing Snowden of sexually molesting the child.

In the end, even Miss Reno did not have the stomach to press charges in this case. The father's manipulation of his son was so blatant that the psychiatrist who examined Greg warned his father to stop pressuring him to say things he did not want to say, and the case was dropped. But this only spurred the DA's office to greater efforts. With frantic parents now questioning children, a potential new complainant was found, 11-year-old Carol Banks, who claimed to have "recovered" memories of abuse at the Snowden

Mrs. Isaac writes on public-policy issues.

ILLUSTRATION BY ROMAN GENN

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home seven years earlier. Janet Reno brought in the heavy guns in the form of self-styled child-abuse experts Laurie and Joseph Braga (she had a PhD in speech, he in education). After a Braga interview had elicited a variety of charges from Carol, the prosecution felt ready to proceed to trial, but, as it turned out, miscalculated. Snowden was acquitted on all charges.

Here indeed was a no-win situation—if the child accused the defendant, he was guilty, and if the child recanted, it was further evidence he was guilty.

Undeterred, Miss Reno's office made good on a promise made to Snowden during the trial—to try him one child at a time until there was a conviction. On round three, the prosecution scored. This time there were two alleged victims, 4-year-old Leslie Blands and her 6-month-old brother. The case rested on Leslie's allegations. Yet New York attorney Robert Rosenthal points out in his brief seeking to overturn Snowden's conviction, "every single sexual comment and allegation made by Leslie was first suggested to her by Braga." This can be determined because the Bragas, like many of the early sex-abuse therapists proud of their techniques, videotaped their interviews.

The videotapes make plain that the Bragas used what analysts of these therapists' methods define as the standard techniques: repeated questioning in interview after interview when initial efforts receive the usual, "Nothing happened"; seeking only confirming evidence, avoiding paths that produce negative or inconsistent statements; setting an emotional tone in which parents and therapists will be proud if the child "helps," i.e., "tells"; asking the child to "pretend," then tell "what really happened," and then to "pretend" again until the child is totally confused; telling a child of allegations made by "other" children; and using so-called anatomically detailed dolls.

As Dr. Richard Gardner has pointed out, the dolls, with their disproportionately large genitals, are a terrible contaminant. Notes Gardner: "If one gives a child a peg and a hole, the child is going to put the peg in the hole. . . . Give a child one of these female anatomical dolls with wide open mouth, anus, and vagina; the child will inevitably place one or more fingers in one of these conspicuous orifices. For many of these workers, such an act is 'proof' that the child has indeed been sexually abused."

Although Leslie was not even able to identify Snowden in court, the judge surmounted this problem by permitting two other children to testify he had abused them (one was Greg Wilkes, now sufficiently coached; the second, another Braga product). But the judge forbade testimony about Snowden's exemplary record or that the Wilkes charges had been thrown out earlier or that Snowden had been tried and the jury had come in with a verdict of "not guilty" in the Banks case. The judge permitted the prosecutor's medical expert to introduce testimony that Leslie had tested positive for garderella vaginitis but refused to allow the defense medical expert, Dr. Max Bertholf, to point out that the test used was a sloppy one, at best no more than 50 per cent accurate. The jury was not even allowed to hear that the prosecution's doctor had herself now discarded the test because of its inaccuracy.

And so it went. When Leslie partly recanted under insistent questioning by Snowden's attorney, Joseph Braga took the stand to accuse the attorney of child abuse and to explain that such withdrawals were "typical" of abused children. Here indeed was a no-win situation—if the child accused the defendant, he was guilty, and if the child recanted, it was further evidence he was guilty.

Despite the egregious errors in the trial, appeals courts have turned a deaf ear. In 1989 the Florida Court of Appeal agreed to "comment" only on the issue of whether Snowden had in effect wound up being convicted for what he supposedly did to the other two children, when he was not on trial for abusing them. The court solemnly concluded that "less than one-half of the witnesses and only one-third of the testimony" were devoted to them. By the mid 1990s Snowden had exhausted all possibility of appeal in state courts; Rosenthal, along with attorney Arthur Cohen, is now seeking to win a hearing in federal court. The Florida attorney general has already moved three times to strike their brief, on the ground that they are procedurally barred from raising each and every issue.

OUTRAGEOUS as the Snowden case is, it was not Janet Reno's worst child-sex-abuse prosecution. That accolade goes to her most famous case, known as Country Walk, after the upscale suburban-Miami development in which it unfolded. This time day care was provided by newlywed 17-year-old Ileana Fuster, seeking to supplement the income of her 36-year-old husband Frank's decorating business. There was a mother's suspicion to light the fuse: picking up her 18-month-old, awakened from sleep and groggy, the mother decided he had been drugged. And there were the Bragas to elicit the requisite charges from 2- to 4-year-olds. (The oldest child was 5.) Sample: "They'd pee in something, put slime in it, put punch in, mix it up, put caca and turtle skins in, and everybody would drink it."

But what makes Rosenthal call this case "the worst I have ever seen" is the brutality with which Miss Reno's office wrested a confession from Ileana Fuster, scarcely more than a child herself. In a sworn deposition, Stephen Dinerstein, the experienced investigator employed by the Fusters' attorneys, described the conditions in which Ileana was held and their effect on her. She had been a bright, attractive girl with shiny black hair; now she "appeared as if she was 50 years old. Her skin was drawn from a large loss of weight. . . . She has sores and infections on her skin and states that no sanitary conditions exist or are provided, that the shower, when received, is a hosing down in the cell. That she is in a cell with nothing in it but a light in the ceiling and that she is often kept nude and in view of everybody and anybody." As a result of her mistreatment, said Dinerstein, she had become "a constantly crying, shaking, tormented person who understands little if anything about the whole process and is now being threatened and promised and is totally in a state of confusion to the point of not having the slightest idea as to month and date."

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None of this could have been lost on Miss Reno, for she repeatedly visited Ileana Fuster. Dinerstein reports that during the last two weeks of July 1985 (after 11 months, most of it in solitary confinement) "Mrs. Fuster's condition had deteriorated so badly she could hardly move and was very slow to respond to any questions. When asked if Mr. Van Zamft [her attorney] was present, she could not even recall, but said simply that the woman State Attorney [Reno] was very big and very scary and made suggestions as to problems that would arise if she didn't cooperate." How often Janet Reno personally came to apply the screws is uncertain. But whatever their number, those visits appall Robert Rosenthal. "I never heard of that before. I can't imagine that any state official should be coming to visit inmates, especially a weak young woman defendant in isolation, half the time medicated, her sleep cycles altered, hypnotized [by Michael Rappaport and Merry Lou Haber]." These were psychologists employed by Ileana's own attorney (who wanted her to plea bargain) to help her "recover" memories of abuse. To compound the psychological torture, people from Reno's office took her on rare trips to good Spanish restaurants to remind her of what life could be like if she cooperated.

Despite all the pressures upon her, Ileana steadfastly maintained her own and Frank's innocence for 11 months. But in the summer of 1985 she cracked. Wedged between Michael Rappaport and Janet Reno, whose hand she clutched, Ileana gave her deposition. What the children had said, she now testified, was true and then some: Frank had hung his own 6-year-old son, Noel, by the feet in the garage and twisted him like a punching bag; hung her up by her arms in the same garage; spread feces on her; forced her to perform sexual acts on the children at knifepoint; put snakes in her genitals and those of the children; and stuck a cross in her rectum. Reno assistant John Hogan, who prosecuted the case in the courtroom, described these and the other charges to the jury as "unimaginable acts" when they were, in point of fact, imaginary acts.

As the reward for her cooperation, Ileana was sentenced to 10 years and after 3 was released and deported to Honduras. Frank was sentenced to six life terms plus 165 years.

Although Frank's appeals went nowhere, he almost won his freedom in 1995. Ileana gave a sworn 60-page deposition to attorney Arthur Cohen in Honduras, detailing the methods that had been used to coerce her into making a false confession. But now, said Ileana, ten years had gone

New Golf Iron Sets World Distance Record from Fairway; Misses Record for Driver by One Yard.

Patented design corrects hooks and slices

You may never play with a wood again.

by Mike Hensen

YALESVILLE, CT– The same small Connecticut company that created a golf ball that *flies* too far has introduced two new driving irons that *hit* too far; way too far if you happen to sell woods. Mike Smith, a PGA Pro, recently set a World Record off the grass with the company's 17° driving iron, and stopped just one yard short of matching the record for a *driver* with its 12.5° counterpart. His shots were 335 and 358 yards respectively.

These are troublesome distances for wood manufacturers, but that may not be their biggest worry. *These clubs keep the ball on the fairway*, a characteristic drivers and fairway woods sorely lack. Official statistics show that even the top ten money-makers on the Tour miss the fairway with their driver 25% of the time. So don't feel alone if you have trouble with your woods. A company spokesman told me this.

"We made these clubs for golfers who are fed up spraying shots left and right with their driver and 3-wood. And millions do. If the best ten golfers in the business have trouble with woods, imagine how tough they are for the rest of us. So we designed the Controller driving irons (the clubs' name).

"Our initial test with the Controllers showed that a mid-80's golfer could get 30 to 50 more yards off the grass with our 17° Fairway Controller, and match or beat his driver with our 12.5° Tee Shot Controller. Mike's World Record and comments from other pros, including a former Master's champ, confirm that these are the clubs of the future.

"But power without accuracy can *add* strokes, and this is where we have wood manufacturers by the throat. The Controllers actually rescue bad shots from the rough."

The Controllers "rescue" hooks and slices with a patented "invisible curve" (you can feel it, but barely see it) across their hitting surface.

The curve tames the abnormal spins that cause hooks and slices, and actually draws shots heading into the rough back onto the fairway. It's quite a sight and along with their massive power could make the Controllers the longest and straightest clubs in golf today. A friend told me he cut strokes the first time he used them and vowed he would never play with a driver or 3-wood again.

So let me ask you. Do you have trouble with woods? If you do, there's no risk testing one or both of these new, super irons. The company will refund their price, if their unique combination of World Record distance and patented accuracy doesn't cut 5 to 10 strokes off your score, and you return them undamaged within 30 days.

To try one or both Controllers, call the company direct at **1-800-285-3900** anytime or day, or send your name, address and check (or cc number and exp. date) to NGC Golf (Dept. DS-603), 60 Church St., Yalesville, CT 06492. The steel shaft Controller Tee Shot (12.5°) and Fairway Controller (17°) cost $69.00 each. Both cost $119.00. The graphite shaft models cost $89.00 each. Both are only $159.00. Add $10.00 s/h/ins. CT and NY add sales tax. No P.O. boxes. All shipments UPS. Specify right or left handed, regular or stiff flex, men's or ladies'.

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by, her mind was clear, and she knew there had never been any abuse of children in her home. "I have no memories of that [abusing the children] because nothing really happened."

Since Ileana refused to come back to the United States (a vindictive DA's office would have tried her for perjury for lying under oath at the first trial), Rosenthal and Cohen persuaded the judge to allow her to testify over satellite from Honduras. But within days of the scheduled hearing, Ileana had retracted her retraction via a letter to the *Miami Herald*. The bottom line was that she wanted to let her original deposition stand and wanted Frank's attorneys "to leave me alone, please."

What had happened? Rosenthal believes she was threatened by someone determined that Country Walk not unravel, and is sure she did not write the letter she signed.

But whatever happened, the door had now shut fast on Frank Fuster. According to Cohen and Rosenthal, his hopes for successful appeal are now all but lost. And while Fuster does not have Snowden's exemplary background (Fuster had served four years in New York for killing a man in a traffic dispute and at the time of Country Walk was on probation for touching a 9-year-old girl on the breast through her clothing) both men are imprisoned till death for crimes that not only did they not commit, but that never happened.

That some of those falsely accused go free, their sentences finally reversed on appeal, and others remain to serve out life terms often constitutes no more than a legal lottery. *People* v. *Stoll* is a famous case and the term "Stoll's evidence" is now used to refer to the California Supreme Court's recognition of the right of those accused of bizarre sexual acts against children to introduce expert psychological evidence, including the results of recognized tests, as evidence that they do not fit the profile of sexual deviants. Most people who have heard of the case assume that Stoll won his freedom with it, but in fact, because of a technicality, it was the sentences of his two co-defendants, Timothy Palomo and Margie Grafton, that were overturned. Fourteen years into his life sentence, Stoll remains incarcerated. Now married, Grafton and Palomo are reunited with Margie Grafton's children, whose testimony had been key in convicting them.

OF all the genuine child abuse in these cases—committed by therapists, prosecutors, and families who manipulate children to bear false witness—none compares to the coercion of small children to testify against their parents, often with the false promise that as soon as they have told the therapists what they want to hear, they will be reunited with their family. Donna Hubbard's 9-year-old son Richie was coerced into testifying against her in the same Kern County hysteria over alleged interlocking Satanic sex rings that swallowed up Grafton, Palomo, and Stoll. He says that it was not until he was a teenager, cared for by a foster family who loved him, that he realized "my mom was in prison and I did it."

Sometimes the ordeal is not over even when it seems finally, mercifully, to be at an end. In April of this year the Massachusetts Supreme Judicial Court overruled the appellate judge, reinstating the convictions of Violet and Cheryl Amirault in the interests of achieving "finality." For Violet Amirault, at 74, prison would be finality indeed. (There has been a last-minute stay of execution. The Superior Court judge who was expected to carry out the decision of the Supreme Judicial Court instead defiantly ordered a new trial. Stay tuned via the *Wall Street Journal*'s Dorothy Rabinowitz, who brought the Amiraults to national attention—including Violet's son Gerald who is still in jail.)

Apparently finality is a virtue only when it incarcerates. Prosecutors have been unwilling to close the door on the case that has made Edenton, North Carolina, internationally infamous, thanks to Ofra Bikel's brilliant documentaries on PBS's *Frontline*. In 1995, the North Carolina Supreme Court upheld the appellate decision that threw out the convictions of Little Rascals Day Care owner Robert Kelly (12 consecutive life sentences) and cook Dawn Wilson (merely one life sentence), the only two of the "Edenton 7" actually to go before a jury. (Sample allegations by the children: they were taken aboard a space ship and abused in outer space; "Mr Bob" [Kelly] killed babies with a gun; abused on a ship while trained sharks swam around the boat.) But in a case of vindictive prosecution, Assistant DA Nancy Lamb has conjured up a new, previously unknown supposed victim of Kelly's and is now pressing forward. Bob Kelly has shown amazing grace through this ordeal. After six years in prison, he has lost everything, but still tithes his small salary as a telephone maintenance man.

Still, Kelly has been comparatively fortunate in that his case attracted international attention, forcing the appellate court to examine it closely. The same appeals court upheld the three consecutive life sentences of Patrick Figured, whose trial, held without fanfare, had been contemporaneous with that of Kelly. Yet public appellate defender Mark Montgomery, who represented both men, says that legally the case was even worse than Kelly's. Once the therapists were through with them, the children insisted "Pat" forced the dog to urinate and made them drink it, thrust candles and screwdrivers up their rectums, forced them to perform oral sex, and burned a Bible in a barrel while dressed up like the devil. Co-workers testified that Figured worked eight-to-five as a manufacturing manager at a job an hour's drive away from the day care center and was never absent from the office except for a lunch break. He would have had to fly on a broom to be present on some of the occasions when he was accused of inflicting his laundry list of Satanic crimes.

How many innocent people are currently serving long, often life sentences for sexual abuse of children? The situation in North Carolina suggests a significant national problem. Montgomery says that for the last ten years he has been almost exclusively engaged in appeals in sexual-abuse cases, around 250 in all. Asked how many of those convicted were innocent, Montgomery said he was unable to say. What he could say was that most trials were so poorly conducted, and the defendant's ability to mount a defense so limited, that an objective reader of the transcripts would say at the end of it, "Well, this guy might have done it, but we sure wouldn't know it from the trial."

Nor, after 14 years, is there any end in sight. Few people

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realize in how short a span the Salem witch hysteria flamed and then burnt itself out. It began in January 1692 when two girls began acting strangely and babbling incoherently; the trials started in March; the executions began in June (19 "witches" were hung and an additional victim pressed to death by rocks); in October the governor forbade further imprisonments for witchcraft. It was all over in 10 months—16 months if one postpones closure until the governor's order to release all accused "witches" remaining in jail. While the big Satanic-ritual-abuse cases are on the wane, the small cases march on, with the legal system showing little ability to separate valid from spurious claims.

In one very important respect, the situation has grown worse. Since medical evidence is usually either wholly absent or ambiguous, the cases ultimately rest on the testimony of children, often very small children. It thus becomes crucial to determine where that testimony comes from: Is the source the child or the therapist? Only if the therapist's interviews with the child are taped is it possible to tell. But precisely because videotapes have been vital to the defense, many prosecutors now seek to avoid them. At the trial of Patrick Figured psychologists Mark Everson and Barbara Boat both testified that the attorney general's office had "encouraged" them not to tape their interviews with the children. Wenatchee investigators actually destroyed their notes.

For many the only hope for relief may lie in a governor's pardon. But governors are not going to act without public support. There has been no modern-day William Phips, the Massachusetts Bay Colony governor who emptied the jails of "witches." Terrified of being perceived as soft on child abuse, not a single governor has pardoned a single individual in any of these cases. The most any has done is try to pass the buck. In 1996, then-Governor Mike Lowry of Washington asked Janet Reno for a Justice Department investigation of civil-rights violations in Wenatchee, a ludicrous proposition given Miss Reno's record. (Needless to say, she refused to get involved.)

It is of vital concern to everyone that our legal system not be corrupted by systematic injustice. But thus far, these cases constitute a reverse morality tale. The innocent languish in prison while those who put them there prosper. Scott Harshbarger, prosecutor of the Amiraults, went on to become Massachusetts attorney general. And none have done as well as the prosecutors of Country Walk. Janet Reno rode her triumph in that case to become U.S. attorney general. John Hogan, who helped prosecute Country Walk, was rewarded with a plum newly created job as statewide prosecutor. In less than a year he was forced to resign when it transpired that he had bought "hot suits" from a man who was fencing men's clothing for a fourth the normal price from a private residence—all cash and no sales tax, making Hogan an unlikely "innocent victim," as he portrayed himself. Miss Reno then took her right-hand man back, and later brought him to Washington, where he currently serves as chief of staff at the Justice Department.

But if the wrongdoers have flourished, the American public has indirectly paid a heavy price. Within weeks of assuming her post, Janet Reno ordered the tanks into Waco, her decision, by her own account, precipitated by two words: "child abuse." Someone had told her the Branch Davidians were beating children, and although the FBI would later acknowledge the report was false, Miss Reno had not paused to inquire further. Among the 79 who died there, 25 were children. And Timothy McVeigh was obsessed with avenging Waco. □

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THE CAMPAIGN AGAINST CAMPAIGNING

The Money Gag

Efforts to limit campaign spending are back, with less justification than ever.

MITCH MCCONNELL

PROPONENTS of campaign-spending limits are stuck between a rock and a hard place: the Constitution and reality.

It is impossible constitutionally to limit all campaign-related spending. The Supreme Court has been quite clear on this matter, most notably in the 1976 *Buckley* v. *Valeo* decision: "The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign."

For those who do not at first blush see the link between the First Amendment and campaign spending, the Court elaborates: "A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money."

The reformers do not care or, in some cases, cannot accept that spending limits limit speech. They believe that spending limits are justified and necessary to alleviate perceived or actual corruption. But the Court slapped that argument aside, holding that there is "nothing invidious, improper, or unhealthy" in campaigns spending money to communicate. The reformers contend that spending limits are essential because campaign spending has increased dramatically in the past two decades, a woefully lame premise the Court easily dispatched: "The mere growth in the cost of federal election campaigns in and of itself provides no basis for governmental restrictions on the quantity of campaign spending." Appealing to Americans' instinct for fairness, the reformers passionately plead for spending limits to "level" the political playing field. The Court was utterly contemptuous of this "level playing field" argument: "The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment."

There you have it. The reformers cannot achieve their objectives statutorily. To realize the reformers' campaign-finance nirvana would require essentially repealing the First Amendment—blowing a huge hole in the Bill of Rights—via a constitutional amendment. Frightfully undemocratic? Yes. Out of the question? No; 38 United States senators voted to do just that on March 18, 1997. These 38 senators voted, in the name of "reform," for S.J. Res. 18, a constitutional amendment to empower Congress and the states to limit contributions and spending "by, in support of, or in opposition to, a candidate." Thus would the entire universe of political speech and participation be subjected to limitation by congressional edict, and enforcement by government bureaucrats.

This wholesale repeal of core political freedom registered barely a ripple in the nation's media. Perhaps reporters and editorial writers do not appreciate that their campaign coverage could be construed as spending "by, in support of, or in opposition to, a candidate" and, therefore, could be regulated under a Constitution so altered. It is not a stretch. The television networks and most major newspapers are owned by corporate conglomerates (a/k/a "special interests") and the blurred distinction is already acknowledged in federal campaign law, which currently exempts from the definition of expenditure "any news story, commentary, or editorial" unless distributed by a political party, committee, or candidate.

I do not advocate regulating newspaper editorials, articles, and headlines. I do not believe that government should compensate candidates who are harmed

"I liked his campaign commercial so much, I bought the congressman."

Sen. McConnell (Ky.) is Chairman of the National Republican Senatorial Committee.

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by television newscasts or biased anchors. However, the political playing field can never be "level" without such regulation, and it is the only area of political speech upon which the vaunted McCain–Feingold bill is silent. McCain–Feingold has provisions to enable candidates to counteract independent expenditures by every "special interest" in America, except the media industry. This "loophole" is the only one which editorial writers are not advocating be closed by the government.

Such regulation of the media may strike one as an absurd result of the campaign-reform movement, but it is a logical extrapolation of McCain–Feingold's regulatory regime. The McCain–Feingold bill's spending-limit formula for candidates is itself ludicrous. For Senate general elections: 30 cents times the number of the state's voting-age citizens up to 4 million, plus 25 cents times the number of voting-age citizens over 4 million, plus $400,000. However, if you are running in New Jersey, 80 cents and 70 cents are substituted for 30 and 25 because of the dispersed media markets. Moreover, the formula notwithstanding, for all states the minimum general election limit is $950,000 and the maximum $5,500,000. McCain–Feingold sets the primary-election limit at 57 per cent of the general-election limit and the runoff limit at 20 per cent of the general-election limit.

Reading the Clinton-endorsed McCain–Feingold bill, one can only conclude that the era of big government is just beginning. The Courts have repeatedly ruled that communications which do not "expressly advocate" the election or defeat of a candidate (using terms such as "vote for," "defeat," "elect") cannot be regulated, yet McCain–Feingold would have the Federal Election Commission policing such ads if "a reasonable person" would "understand" them to advocate election or defeat. Out of 260 million Americans, just which one is to be this "reasonable person"?

The McCain–Feingold bill seeks to quiet the voices of candidates, private citizens, groups, and parties. Why? Because, it is said, "too much" is spent on American elections. The so-called reformers chafe when I pose the obvious question: "Compared to what?"

In 1996—an extraordinarily high-stakes, competitive election in which there was a fierce ideological battle over the future of the world's only superpower—$3.89 per eligible voter was spent on congressional elections. May I be so bold as to suggest that spending on congressional elections the equivalent of a McDonald's "extra value" meal and a small milkshake is not "too much?"

The reformers are not dissuaded by facts. Their agenda is not advanced by reason. It is propelled by the media, some politicians, and the recent infusion of millions of dollars in foundation grants to "reform" groups. Fortunately, the majority of this Congress is not ideologically predisposed toward the undemocratic, unconstitutional, bureaucratic finance scheme embodied in McCain–Feingold. Further, a powerful and diverse coalition has coalesced to protect American freedom from the McCain–Feingold juggernaut.

Ranging from the American Civil Liberties Union and the National Education Association on the left to the Christian Coalition, the National Right to Life Committee, and the National Rifle Association on the right, the individual members of the coalition agree on little except the need for the freedom to participate in American politics. There is perhaps no better illustration of the Supreme Court's observation in 1937 that freedom of speech "is the matrix, the indispensable condition, of nearly every other form of freedom." These groups understand that the First Amendment is America's greatest political reform.

Where do we go from here? After ten years of fighting and filibustering against assaults on the First Amendment ad-

Cal Thomas
William Buckley
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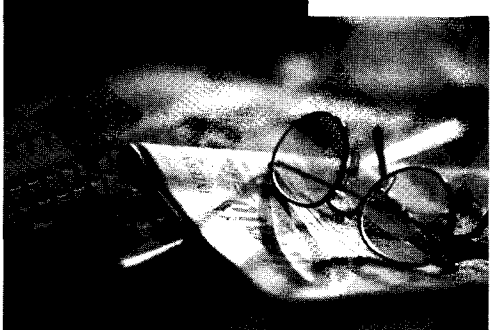
Suzanne Fields
Tony Snow
...and many more.



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vanced under the guise of "reform," I am heartened by the honest debate in this Congress. In the House of Representatives, John T. Doolittle's bold proposal to repeal government-prescribed contribution limits and the taxpayer-financed system of (illusory) presidential spending limits has more co-sponsors than McCain–Feingold's companion bill, the Shays–Meehan speech-rationing scheme. In the Senate, McCain–Feingold's fortunes cling pathetically to the specter that the Government Affairs investigation into the Clinton campaign-finance scandal will fuel public pressure for reform.

The $1,000 individual limit was set when a new Ford Mustang cost just $2,700.

My goal is to redefine "reform," to move the debate away from arbitrary limits and toward expanded citizen participation, electoral competition, and political discourse. McCain–Feingold is a failed approach to campaign finance that has proved a disaster in the presidential system. McCain–Feingold would paper over the fatal flaws in the presidential spending-limit system and extend the disaster to congressional elections. Experience argues for scuttling it entirely.

The best way to diminish the influence of any particular "special interest" is to dilute its impact through the infusion of new donors contributing more money to campaigns and political parties. Those who get off the sidelines and contribute their own money to the candidates and parties of their choice should be lauded, not demonized. The increased campaign spending of the past few elections should be hailed as evidence of a vibrant democracy, not reviled as a "problem" needing to be cured.

My prescription for reform includes contribution limits adjusted, at the least, for inflation.

The $1,000 individual limit was set in 1974, when a new Ford Mustang cost just $2,700. The political parties should be strengthened, the present constraints on what they can do for their nominees, repealed. These would be steps in the right direction. □

Military Might

The United States military is becoming too weak to fulfill its strategic mandate.

JOHN HILLEN

WALTER Lippmann once correctly defined the critical task of the strategist as keeping America's "means equal to her purposes and her purposes equal to her means." This dictum necessitates the identification of an American role in the world and the generation and maintenance of the military means required to undertake that role. In the Executive Branch, the duty for making these formulations falls chiefly to the President and his Secretaries of State and Defense. However, neither Bill Clinton, Madeleine Albright, nor William Cohen exercises the influence in this area enjoyed by America's principal strategist: Franklin Raines, the Director of the Office of Management and Budget.

In the recent Quadrennial Defense Review just released by the Pentagon, it was clear that the engineers driving the train were of the green-eyeshade sort. While the public was told repeatedly by the Secretary of Defense and Chairman of the Joint Chiefs that "everything was on the table," very little was not predetermined. The unchangeable assumptions were, on the one hand, that the United States would continue to be militarily engaged in a wide and taxing set of deployments and, on the other hand, that the defense budget would be capped at $250 billion or lower for the foreseeable future. Thus presented with a set of purposes and a ceiling on means that were determined in total exclusion from each other, the Pentagon was given that classic military order for a hopeless mission: "Make it work."

The U.S. military has been reduced greatly since the end of the Cold War; combat units have been cut by some 40 per cent since 1991. The current QDR, which cuts another 120,000 GIs, is, in the words of Marine Commandant Charles Krulak, "simply a continuation of the national demobilization." In the space of ten years, 1991–2001, the U.S. Army will have been reduced from 18 divisions to 8 or 9, the Navy from 546 ships to just over 300, and the Air Force from 36 fighter wings to 17 or 18.

However, the need for American military operations around the globe has hardly decreased; in fact, many would argue that demand has *increased* since 1991. While the dissolution of the Soviet Union allowed the U.S. to reduce its European presence by some two-thirds, other Alliance commitments make their own demands. In addition to the 100,000 U.S. troops bolstering the American commitment to lead NATO, the United States guarantees four other areas of the world (East Asia, the South Pacific, the Persian Gulf, and the Western Hemisphere) that they will not be dominated by a hostile power or bloc of powers. Alliance commitments, treaty obligations, and forward basing agreements in these regions consume a large portion of a shrunken U.S. force.

On top of that, the United States has had difficulty saying no to almost any call for military action in the past five years. Since 1993, in addition to homeland defense and Alliance commitments, the U.S. military has undertaken 50-odd military missions—in the Balkans, the Caribbean, South America, Africa, the Middle East, the Pacific. Moreover, many are seemingly without end—the humanitarian relief effort to protect Kurds in Northern Iraq has recently undergone an ominous name change—from Operation Provide Comfort to the more appropriate Operation Constant Vigil. The addition of these many protracted peacekeeping commitments to the demand for U.S. forces has raised operational tempos considerably. The Army, which conducted 10 out-of-area

Mr. Hillen, a decorated combat veteran, is a Fellow for National Security at the Council on Foreign Relations.

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deployments during the entire 50-year Cold War, has conducted 25 such operations since 1990. The Marine Corps, called upon during the Cold War an average of once every 15 weeks, is now deploying to crises every 5 weeks. Overall, the average service member deploys at a rate 300 to 400 per cent higher than his Cold War predecessor.

The strain on ever-shrinking armed forces attempting to undertake an ever-growing set of military tasks generates a series of deleterious effects that all exacerbate one another. The frenetic pace of operations, the highest since Vietnam, is literally wearing out troops and equipment. A recent General Accounting Office investigation of units suffering from continuous deployments found "pronounced concerns about personnel problems such as divorces . . . and lowered retention." The same GAO team also found that almost 30 per cent of these front-line units were not combat-ready by military standards. Floyd Spence, Chairman of the House National Security Committee, recently released a meticulously detailed report on the deficiencies in readiness and morale caused by the high pace of operations imposed on a small force. It is sobering reading indeed—a catalogue of horror stories that would have seemed more at home in the hollow military of the Carter years than in the professional force that won the Gulf War so handily.

Equipment stocks fare little better, the current Administration having chosen to slash spending on new equipment while running into the ground the capital investments of the Reagan-era build-up. By 2005, all of our tanks and most of our military aircraft will be older than the soldiers or pilots driving and flying them. And despite constant assurances of turning the corner on what the Congressional Budget Office termed "the procurement holiday," the 1998 defense budget drops spending on new equipment for the fourth year running. All in all, spending in the procurement account has fallen some 70 per cent since 1985. Numerous think-tanks have joined the CBO and GAO in warning of a defense train wreck that the recent Pentagon review blithely ignores. Former Pentagon planner Robert Gaskin noted that the military is "approaching burnout."

Nonetheless, the defense review released in May maintains that the U.S. armed forces, even with the additional cuts needed to stick to Mr. Raines's

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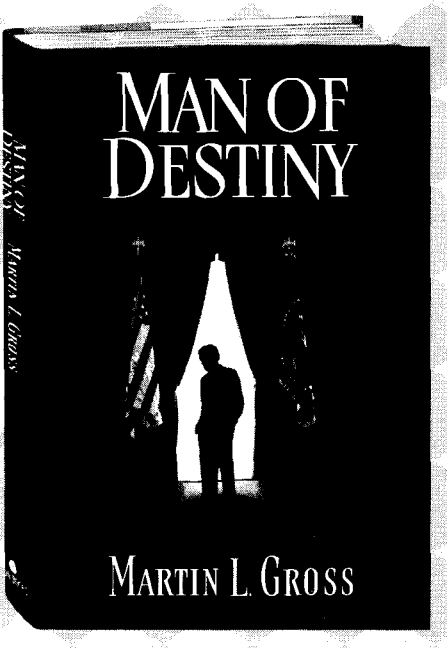

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budget ceiling, are adequate to fight and win two nearly simultaneous regional conflicts. In fact, if the U.S. were to conduct a regional conflict on the scale of Operation Desert Storm in the year 2002, it would use some 87 per cent of the Army, almost the entire Marine Corps, 75 per cent of available aircraft carriers, and two-thirds of active and reserve fighter wings. That leaves a skeleton force and the National Guard to deter or fight another regional conflict while upholding defense commitments elsewhere. Maintaining the fiction of this capability while continuing to cut the force is known as "risk management" in Pentagonese. On the streets, it's called a shell game.

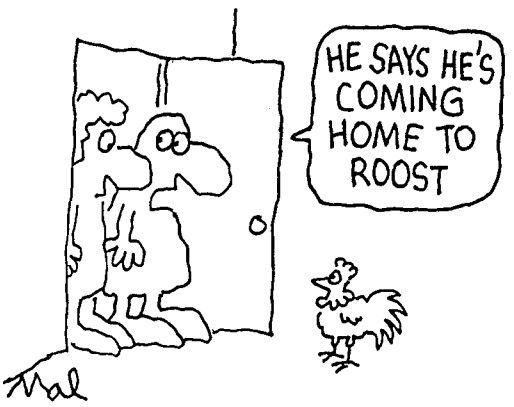
If the U.S. were to conduct a regional conflict on the scale of Desert Storm in the year 2002, it would use some 87 per cent of the Army.

In an age where politics is about appearances, we should not be surprised that strategy can be virtual. A President who proclaims that the era of big government is over while dramatically increasing both mandatory and non-defense discretionary spending is certainly capable of labeling the United States "the world's indispensable power" while emasculating its military.

It's more than just the usual cynicism of politics, however. There is a very real belief among the governing classes and intelligentsia of both parties that the U.S. will not find itself in a significant conflict in the foreseeable future. While Francis Fukuyama may not have entirely bought his own thesis about the "End of History" and the triumph of liberal ideals, the rest of America appears to have been hooked. As Sir Michael Howard noted in his brilliant treatise "War and the Liberal Conscience," this is a long-running theme among Western intellectuals. Paine, Montesquieu, and Kant all believed that the introduction of international trade and the substitution of republics for monarchies would guarantee lasting peace. Paine wrote that "if commerce were permitted to act to the universal extent it is capable, it would extirpate the system of war." John Stuart Mill opined that commerce was "rapidly rendering war obsolete . . . the great extent and rapid increase of international trade . . . [is] the principal guarantee of the peace in the world."

Norman Angell, who wrote similar thoughts in his book *The Great Illusion*, achieved the most notoriety of all these philosophers because of his fabulously bad timing. In 1913, on the eve of the greatest conflagration in Western history to that point, Angell stated that "[war] is economically futile" and could never be undertaken by the rational and interdependent capitalists of Europe. In our own day, John Steinbruner and William Kaufmann, two doyens of the Brookings Institution, eerily echoed Angell's thoughts in a book published last year that recommended radically downsizing a famously successful enterprise (the U.S. military) and greatly bolstering the resources of one with an almost unparalleled record of failure (foreign aid). They wrote that in the "emerging era of global interactions . . . the central imperative of all nations is to connect productively to the information, product, technology, and investment flows of the international economy. Any exercise of aggression across international boundaries could be met with a lengthy period of economic isolation, and the inherent burdens of isolation would be compounded by the basic fact that political control of a large population imposed primarily by force is ruinously inefficient." Thus ends the latest age of conquest. As Yogi Berra said, "It's *déjà vu* all over again."

Reinforced by a strange mélange of accountants, pacifistic intellectuals, and post-modernists peddling environmental or feminist approaches to strategy, elected officials as far apart as Barney Frank and John Kasich can arrive by very different paths at the same conclusions about limiting the size of our military. Both tree-hugging liberals and budget-conscious conservatives are captivated by the rewards of the mystical peace dividend. Naturally, the peace dividend is assumed to be some huge supply of money that could be shifted from defense to health care or welfare. However, given the explosion in entitlements and the fact that defense spending is at its lowest levels (as a percentage both of GDP and of federal spending) since before Pearl Harbor, there would not be much payoff. The U.S. will pay more in interest on the debt in a few years than on national defense. If some clever analyst figured out how to save DoD another $20 billion per year, it would finance new spending on Social Security, Medicare, and Medicaid for less than four months —an equation that will get worse as time goes on. Conservatives should recognize that the peace dividend is not a chance to defer the entitlement train wreck for a few months. The peace dividend is peace.



Nonetheless, the faux imperative that drove all thinking about the recent defense review was to cut, cut, and cut again. The basic assumption underlying this imperative is that every day the United States is at peace must be a day in which we have overspent on defense. Ergo, take another look and cut it a little finer. The *New York Times*, like almost all the media outlets, made no mention of foreign policy or strategy in addressing the subject, identifying the Pentagon review only as an *a priori* "chance to shrink the Pentagon." In contrast (and quite alone), the *Los Angeles Times* asked questions about the goals and ambitions of U.S. policy, sensibly concluding that this was a "military strategy that doesn't add up."

Getting U.S. strategy to "add up" can be done only through a combination of reducing demand and increasing supply. The former task involves better discrimination in setting the military ambitions of U.S. foreign policy. The latter requires an honest explanation to the American people that there is no free lunch in the military-superpower business. These are tasks for politicians and strategists. In the meantime, in case there was any doubt that the bean counters are in charge of America's defense policy,

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Secretary Cohen recently announced his intention to replace his retiring deputy with the affable John Hamre, the Pentagon comptroller and head number-cruncher. We must all hope that he can fit the next war into his budget. □

Leviathan Harpooned

Aware of the dangers posed by judges and the law, Thomas Hobbes also offered a solution.

GARY L. MCDOWELL

WHEN it comes to PR, the great political philosopher Thomas Hobbes has had one long stretch of bad luck. When his magnificent *Leviathan* appeared in 1651 he was derided as the "monster of Malmesbury," an allegedly godless man who posed a deep and abiding threat to the established order. And indeed he did, whether godless or not.

His fortunes never really improved in the reputation stakes. In his essay on John Bramhall, Hobbes's most persistent contemporary critic, T. S. Eliot, was snidely dismissive: "Thomas Hobbes was one of those extraordinary little upstarts whom the chaotic motions of the Renaissance tossed into eminence which they hardly deserved and have never lost." Most recently, in the great conservative debate over the nature and future of the American "regime," Hobbes is seen to hover in the nihilistic shadows of modern liberalism like some misbegotten witch ready to crash a christening.

Father Richard John Neuhaus, for example, has indicted the present-day Supreme Court for its perceived tendency to "reinforce the Hobbesian idea that we are a society of strangers, perhaps of enemies, and it is the chief business of the state to prevent others from interfering with or obliging the Sovereign Self." This Hobbesian view which Neuhaus sees as informing the decisions of the Court results, he insists, in "the atomistic and potentially totalitarian doctrine that society is composed of only two actors, the state and the solitary individual."

Mr. McDowell is Director of the Institute of United States Studies at the University of London.

A similar indictment of Hobbes was offered in NATIONAL REVIEW. Ramesh Ponnuru bewailed "the influence of Hobbesianism" generally, and pointed in particular to a pronounced "Hobbesian streak among conservative critics" of Neuhaus and his fellows. Moreover, he detected in this neo-Hobbesianism "at the very least a tension with the principles and spirit of the American Revolution, in particular with the principles of majority consent."

Present-day conservatives like Neuhaus and Ponnuru have fallen into the trap that has impeded a proper understanding of Hobbes since his own day—the unfortunate tendency to confuse Hobbes with "Hobbesianism," the latter being a distortion of what Hobbes actually wrote. As Sterling Lamprecht rightly pointed out half a century ago, "the picture of 'man in the state of nature' is not meant by Hobbes as a complete picture of human nature." Nor was his solution a simple defense of absolute monarchy, as is so often asserted. Hobbes's view of man and his predicament was far more complex than that. As a result, Hobbes has much more to offer to our day than the "Hobbesian" caricature presented by Neuhaus and Ponnuru; indeed, he has a great deal to offer conservatives precisely when it comes to defending the Constitution of the United States against those judges who are willing to reduce it to nothing more than their private opinions about right and wrong.

There are two points in Hobbes that seem to stick in the conservative craw. The first is what Neuhaus portrays as Hobbes's belief in the "Sovereign Self" and the tendency of such a view toward totalitarianism; the second is Hobbes's perceived atheism. When it comes to the first matter, Hobbes's entire project was designed not to celebrate the so-called "Sovereign Self" but to show how, if left to their own devices, men would subject one another to the horrors of the state of nature, that grim and forbidding place where life was "solitary, poor, nasty, brutish, and short" and where there would be an incessant war of all against all. Hobbes's scheme was to temper those proclivities of man's nature by the social contract and the creation of "sovereignty by institution." The result would not be arbitrary or totalitarian rule but a sovereign obligated to govern always for the safety and happiness of the people. Hobbes was the father of modern constitutionalism, not modern totalitarianism.

The second problem posed for conservatives by Hobbes is what appears to be his atheism. Admittedly, he was no friend of the Pope and was convinced that those who sought to give effect to papal power were out to undermine public order by imposing as doctrines of faith many points that were simply "inconsistent with the rights of kings, and other civil sovereigns." But what most assume was atheism is more accurately described as nominalism or voluntarism. Developing the line of argument that began with William of Ockham (1285–1349) during his disputes with papal power, Hobbes's political project rested on a view of divine power that, in a sense, elevated God from the clutches of those who sought to turn the word of God to their advantage. In Hobbes's view "the nature of God is incomprehensible," by which he meant that "men can never by their own wisdom come to the knowledge of what God hath spoken and commanded to be observed." Even if Hobbes were personally an atheist, a point still arguable, he knew the civil importance of religion properly understood. It is worth noting that a large part of *Leviathan* is given over to the idea of a *Christian* commonwealth.

Hobbes was the father of modern constitutionalism, not modern totalitarianism.

Hobbes's problem was not with God but with those who presumed to speak for God—especially the priests, profes-

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sors, and lawyers of his day, those insufferable "gown-men" (or "block-heads," when he was really on a roll). By the duplicitous arts of these "crafty and ambitious" schoolmen, whereby Aristotelian philosophy was mingled with the Gospel, words were reduced to a "spider's web" of confusions. By relying on "vain and erroneous philosophy," "uncertain traditions," and "uncertain history," the authorities had blocked the light of natural reason and had plunged mankind into a veritable "kingdome of darknesse," a "kingdome" ruled by a "*confederacy of deceivers*, that to obtain dominion over other men in this present world, endeavor[ed] by dark and erroneous doctrines, to extinguish in them the light, both of nature and the gospel." From their elevated station, the learned doctors had come to control opinion; true knowledge had been supplanted by obscure doctrines. Truth had been "strangled with the snare of words." The result was that these men of authority were able to "abuse the simple people."

Good government in Hobbes's view depended upon the destruction of this false "aristocracy of orators." By proving there was no authority higher than man, no transcendent divine or natural law that spoke clearly and unequivocally of right and wrong, justice and injustice, to a favored few, he would be able to free mankind from the tyrannical shackles of false doctrine and superstition; such a lifting of the chains of ignorance was necessary to render men truly free. And in the place of these shackles would come laws designed not simply to restrict freedom for the sake of restriction, but to secure it; for Hobbes, laws were "hedges" designed to keep men on the right path and to protect them from "their own impetuous desires, rashness, or indiscretion."

The key to Hobbes's natural-law teaching, and his subsequent teaching about the nature of law, is his understanding of man's power of imagination. From this beginning, man ascends to commonwealth only by his power to go beyond "meer nature" by imagining things that do not exist in nature, such as political institutions. This is achieved, says Hobbes, by man's ability—that which separates him from the beasts—to sort, name, and convey to his fellows by speech the clear mental conceptions he has come to hold in his own mind. It is by language that the political order becomes possible. Without it, Hobbes famously pointed out, there could be "neither commonwealth, nor society, nor Contract, nor Peace, no more than amongst Lyons and Bears and Wolves."

THIS understanding of the new science of politics lay at the foundation of Hobbes's conception of law. It was this embrace of the need for precise definitions that led him logically toward the necessity of written law, for the essence of all laws is that they must "be made known to every man that shall be obliged to obey them." Properly constructed, the signs or words used in the law to convey the intention of the sovereign will be sufficient to cause the same notion in the minds of those who would be called upon to interpret and enforce the laws.

Should law be reduced, as it is by the proponents of common law, to the reasoning of a judge, there will be "as many several reasons as there are several men." Nor is it sufficient to say that the judges exercise not their private natural reason but only that "artificial reason" of the cumulative law itself. The fact is, "there is no reason in earthly creatures but humane reason" and thus to argue in behalf of precedent as somehow higher than ordinary human opinion is to sorely miss the point. For Hobbes, "precedents prove only what was done, and not what was well done."

The presumed knowledge of the law, or the allegedly special wisdom of the judges, is not what makes law *law*. Judges cannot be lawmakers for the simple reason that the act of judging, of interpreting, is subordinate to that act which creates that which is to be interpreted. Judges are merely the creatures of the sovereign; their power derives only from the power of the sovereign will. The body of custom from which the common law derived its power, and thereby the judges their authority, was, in Hobbes's view, utterly lacking in legitimacy. Such custom as is the common law can only take its "authority and force from the will of the commonwealth, that is to say, from the will of the representative." Thus an appeal by a judge to custom or to allegedly unwritten laws of nature, absent the mark of the sovereign making them binding, is an appeal neither to custom nor to higher law but only to the judge's personal opinion. For Hobbes, it was a "weak and false principle" that held "that men shall judge what is lawfull or unlawfull not by the law itself, but by their own consciences; that is to say, by their own private judgments."

As against the pretensions of the common-lawmen, Hobbes's view was clear: "The abilities required in a good interpreter of the law, that is to say, in a good judge, are not the same with those of being an advocate; namely the study of the lawes." Nor is a good judge likely to be found among those who have written commentaries on the written law; such glosses serve only to confuse and to obscure true meaning. Still less should one seek moral philosophers for judges; unless explicitly adopted by the sovereign, their theories have no legal weight. Hobbes saw a much more limited, a much more legitimate function for those judges who would be called upon to interpret the laws and thereby "to make them obligatory"; their only task was to give effect to the original intention of the lawmaker. Should a judge disregard "the reason which moved his sovereign to make . . . a law" in order to do what the judge may think just, he thereby supplants the public judgment of the sovereign with his own merely private judgment. For Hobbes, there was a word for such judicial abuse; that word was "unjust."

Through the additions and embellishments of such writers as John Locke, John Trenchard, and Thomas Gordon, and the authors of *The Federalist*, Hobbes's notion of sovereignty by institution came to be given expression in the idea of a written and ratified constitution that rested upon the sovereignty of the people. It was for this reason that Alexander Hamilton could defend the power of the judiciary to declare void any law that conflicted with the Constitution; the judges, exercising "neither force, nor will,

"Yeah, they're cute all right. They also throw rocks."

(Continues on page 56)

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THE VICE PRESIDENT
WASHINGTON

June 7, 1997

Dear Rusty,

Well, summer is here. And it's time for the annual Gore Family Summer Reading List!

It's an old Gore family tradition—I remember back during my Harvard days (this was before I voluntarily enlisted in the Army and served my country for 14 long months in Vietnam; others made different choices during those troubled times, and I'm not judging, but where, exactly, was Dick Gephardt during all of this??) Mom and Dad would make up a list of books to be read during the summer. Some years, it was heavy with social policy (I remember reading a paperback of Silent Spring in 1965—oh, Rusty! The nightmares!) and some years it was filled with lighter fare (Mom went through a strange Valley of the Dolls period).

Tipper and I, of course, have compiled a list every year, and ever since the girls were old enough to come up with titles other than Misty of Chincoteague they've been included too. Little Al—not so little any more—keeps disappointing us, though. Last year, he sneaked The Turner Diaries onto the list (Tipper and I thought it was about Ike and Tina, which, in a way, I guess it is) and this year he tried to pull the wool over our eyes with something called The Kiss, which we were suspicious of the moment he mentioned it. Suffice it to say, Rusty, it's not acceptable Gore Family Summer Reading fare, and although Little Al insists that "if it's good enough for Oprah's Book Club, it's good enough for us," we're not including it. I never thought I'd say it, but I wish he could be more like Chelsea Clinton.

So, on to the list.

Karenna, who, as you know, is an editor at Slate.com (following in her father's footsteps! I was a journalist, too, for 9 months in Vietnam), Michael Kinsley's on-line publication, recommends Ken Auletta's The Highwaymen, which she says is somewhat biased against her boss, Bill Gates (personal friend!), but is nonetheless a "great portrait of some of the people my dad wants to regulate." And how. It's a survey of the moguls in the entertainment industry (which Tipper and I tried to regulate a few years ago, and now want to regulate again) and the information superhighway (which I've always consistently wanted to regulate a lot).

Mom chimed in with Midnight in the Garden of Good and Evil, by John Berendt, which I tried to remind her was on her list last year (and, oddly, the year before) but she pretended she hadn't heard me. Dad suggested When Bad Things Happen to Good People, and when I asked why, just chuckled and said I'd find out "one snowy evening in New Hampshire." So I asked him for another title. When he mentioned Dealing with the Ultimate Disappointment: Losing and Surviving! I thought it best to laugh politely and call them earlier next time, before the "sun is over the yardarm."

Tipper had a host of great selections, all reflecting her eclectic reading tastes. For starters, she recommends Articles of Impeachment: A Constitutional Approach (Yale Law School Press: 1972) and Presidential Impairment and the Law (University of Chicago Press: 1978). She's spending the summer "getting prepared," as she puts it, "to preempt the primaries," whatever that means. I think she worries too much. I tried to get her to read the new publishing sensation, The Bible Code, which purports to decipher the hidden prophecies in the Old Testament, but she just laughed it off.

"But Tipper," I said, "the author claims to have predicted Rabin's assassination." And I showed her how he had decoded a section of the Hebrew text to reveal the message "Clinton President."

"What does it predict about you?" she asked. When I looked myself up in the index, I found that the author had decoded a section of the text to reveal the message "Gore Tennessee."

"He predicts that I'm from Tennessee." She went back to her book. Later, when I asked her to recommend light reading, she added The Prince. Tipper's an intellectual even in the summer!

As for my titles, I'm going to reread both Reinventing Government and Earth in the Balance—I know, I know, I wrote those books, so why am I re-reading them? Well, for one thing, I discover new things every time I pick them up, and for another, I'm preparing to write a third book and don't want to repeat myself. My new book is going to be called, simply, Destiny: Follow Me into the Future, A Blueprint for America to Build an Environmentally Balanced Bridge to the 21st Information Century and Beyond for Our Children's Sakes and Their Children's Futures with a foreword by General Colin Powell (that last bit is still unconfirmed; but I'm hopeful!).

See you at Barnes & Noble!

Your pal, Al

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BOOKS, ARTS & MANNERS

The Bigger the . . . Better?

JAMES GARDNER

THIS may not be the most promising way to begin a book review, but I should admit at the outset that I haven't exactly read the novel under discussion. Or rather, I read the first fifty pages and then gave up, having found nothing in the plot, the characters, or the style to warrant my reading seven hundred pages more. I feel it necessary to be as candid as possible about this because, as I hope to show, I believe a certain mendacity has surrounded the book's critical reception. For me at least the real interest of *Mason & Dixon* lies not in its claims to literary brilliance, but in its status as part of a new trend in contemporary fiction.

I am speaking of the recent rash of long books, big books, heavy, boring, and unwieldy books. It is books of this sort that critics like to describe by weighing them and measuring the width of their spines. *Mason & Dixon*, in case anyone cares, weighs in at three pounds

Mason & Dixon, by Thomas Pynchon (Holt, 773 pp., $27.50)

and its spine is roughly two and a half inches wide. One critic liked the book so much that he judged its spine to be actually three inches wide, an illusion doubtless aided by the publisher's decision to use the heaviest paper on hand, thus making the book appear even more impressive. If only it had reached the three-inch mark, it could have done battle with David Foster Wallace's *Infinite Jest* and Harold Brodkey's *The Runaway Soul*, leaving William Gass's *The Tunnel* in a risible fourth place. In contemporary criticism, clearly, width has usurped the place of wit.

Now whereas some authors of long books, like Gass, occasionally lapse into lucidity, others, like Brodkey, Wallace, and Pynchon, write books so leaden and so intractably obscure that I doubt any honest person could claim to read them with pleasure. The acrobatic efforts of certain critics to stay awake throughout *Mason & Dixon* recall nothing so much as the contest in the second book of Pope's *Dunciad*. While two authors drone on remorselessly, reading from their interminable tomes, the goddess

Roman Genn

Dulness issues this challenge to the assembled critics: "If there be man who o'er such works can wake, / Sleep's all-subduing charms who dares defy / . . . To him we grant our amplest powers to sit / Judge of all present, past, and future wit."

Ostensibly *Mason & Dixon* is an "historical novel" about those two surveyors who achieved immortality by dividing the continental United States into North and South. If that sounds like an unpromising premise for a novel, it is indeed. Things are not helped by the fact that Mr. Pynchon's idea of character consists in making everyone sound vaguely piratical, with cutesy period punctuation that is certain to defeat most readers' efforts at decipherment. Something of the tenor of the dialogue will be gleaned from one character's assertion that "Flamsteed, paronomastickally disposed, called [a certain star] Tropus, because it marked the turning point in the Summer Solstice." To which another replies, "Although that Point presently lies somewhat to the east." This is the sort of pastiche that passes for priceless erudition today, although any man of the eighteenth century would have choked on his tongue before using "presently" to mean "at present."

As for wit, the book is almost mantrically described as Shandean, though one occasionally hears mention of Swift and Shaw as well. Yet it is hard to see what such eponyms could possibly have to do with scenes in which one of General Washington's black slaves speaks to him in Yiddish, causing the great man to remark, "You see what I have to put up with? It's makin' me just mee-shugginah." This gem is from a scene that T. Coraghessan Boyle, writing in the *New York Times Book Review*, calls "side-splitting." As for those who will find humor when one of the characters is squashed under a massive wheel of cheese, I can only wish them well.

The strange thing is that, despite the unanimity of acclaim that this dud of a book has enjoyed, I suspect that I am not alone in finding *Mason & Dixon* unreadable. If you read between the lines of the reviews, it is pretty clear that many if not most of the critics essentially hated the book. Thus when Michiko Kakutani in the *New York Times* calls it "Alternately dazzling and vexing, tiresome and amazing," she means, if I may paraphrase with illiberal abandon, that it is tiresome and vexing. Similarly, when she calls it "plotted and plotless," she means that it is plotless. Then there is the gambit of turning its manifest faults into virtues. According

Mr. Gardner is NR's art critic.

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to Miss Kakutani, "Its flaws are exuberant flaws of excess." Better still, "its density and garrulity [impress] upon the reader a sense of the arduousness of Mason and Dixon's journey and the long aching curve of their lives." Which, of course, is a nice way of saying that the book is boring. Even its most stalwart boosters must acknowledge this tedium. According to Luc Sante, in an otherwise fawning review in *New York* magazine, the book "will find buyers who will open it, turn one or two of its pages with forceps, and then leave it to molder prominently on a table in the side parlor." This seems so likely a prospect that I can only suppose the ejaculatory Mr. Boyle, when he speaks of the novel's "sheer entertainment value," to be simply lying through his teeth.

Why is it, some readers will ask, that these critics are so reverent toward *Mason & Dixon*, when they were cool toward Pynchon's previous novel, *Vineland*, seven years ago? The reason is that the earlier novel was far more conventional, and thus somewhat more readable. Because it was (relatively) clear, shorn of the author's habitual obscurantism, everyone could see his garbled syntax, his tin ear for dialogue, his dopey sense of humor, his inability to create convincing characters.

Yet it deserves to be asked why we imagine that weight and depth are present in the most obscure works of an author who, when speaking clearly, reveals that he has little if anything to say. One recalls in this connection the observation of Tacitus that "*Omne ignotum pro magnifico*": Whatever is obscure is highly held. Furthermore, if one has not actually quite, you know, *read* the book, it is safer to praise it than to criticize. Otherwise one lays oneself open to being challenged on some point one has not encountered. Far better to say with Luc Sante that the book is "way too vast and densely populated with ideas and lightning bolts for a short review to do it any kind of justice. All I can do is doff my cap."

Some books—and I strongly suspect that *Mason & Dixon*, *Infinite Jest*, and *The Runaway Soul* are examples of this—can be seen as massive opera *intended* not to be read. They are stunts and *causes célèbres*, designed so that everyone will talk about them but no one will actually have the stamina to read them through. Some critics will have the honesty to admit that the work is unreadable, but

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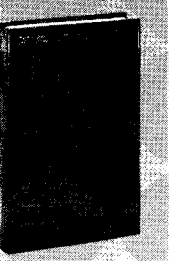

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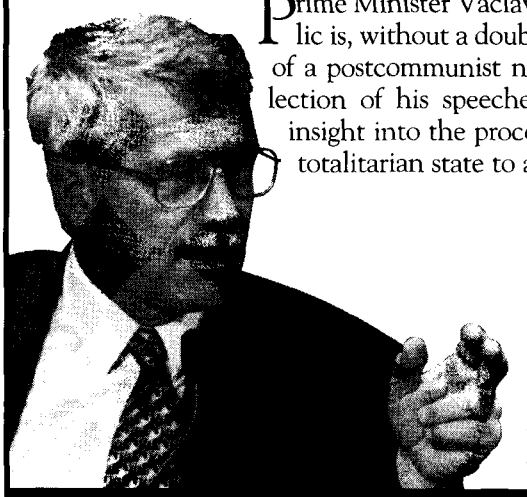

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most will not. What is really pernicious about this critical betrayal is not that those who deserve censure are praised, but that novelists who labor to be clear are liable to be dismissed. In other words, some critics are so far gone that the simple fact of their understanding what is going on in a novel is sufficient reason to consider it unworthy of praise.

This is precisely what William Shakespeare meant when, in Sonnet 66, he lamented "Simple Truth miscalled Simplicitie." In part he was rebelling, I like to think, against such works as John Lyly's obscure *Euphues*, which was held highly by the literary culture of the time, but which the wisdom of subsequent generations has commended to uncontested oblivion. It is a fair guess that a similar fate awaits some of the idols of the present literary scene, the very second they lose the allure of their newness. □

Black Mischief

LINO GRAGLIA

RACE, Crime, and the Law discusses the influence of race, both historically—it includes a history of slavery and lynching—and at present, in the formulation and enforcement of criminal law. Randall Kennedy, a professor at the Harvard Law School, shows that race has permeated every area of criminal law, as it has, indeed, every area of constitutional law.

Kennedy, a moderate on race issues, at least in comparison with other black law professors, strives for balance and fairness throughout. Unfortunately, he largely shares the basic premises of the more radical scholars he criticizes. He believes, as they do, that "racial animus against blacks still strongly grips American society," giving the nation a "deformed social structure." He also agrees with them that oppression and discrimination are the defining facts of the black situation in America; for example, he finds it "difficult to exaggerate the importance of lynching in the development of African-American political consciousness."

Race, Crime, and the Law, by Randall Kennedy (Pantheon, 512 pp., $30)

Kennedy deplores "the prevalence and prominence of pessimistic thinking about race questions in American life" and believes (unlike Carl Rowan) that "racial conflict is not inevitable." His reiteration of the themes of continuing white hostility and black focus on past mistreatment is difficult to reconcile, however, with the message of optimism he means to convey. It would be more helpful, as well as more accurate, to point out that most whites welcome black success and that today's blacks are not prisoners of our racial history.

If there are grounds for optimism on race issues in Kennedy's book, they lie in the fact that the instances he cites of racial discrimination in the criminal-justice system seem, with one exception, relatively minor. One of Kennedy's principal complaints is that a recent Supreme Court decision prohibiting prosecutors from considering race in exercising peremptory challenges of prospective jurors is not, in his view, being sufficiently enforced. Since the whole point of peremptory challenges is the absence of a need to show cause, the decision is highly questionable. It might be better, as Kennedy notes, if the peremptory challenge were abolished. But if it is retained, he argues, the prohibition against considering race, however incongruous or impractical, must be rigorously enforced. The principal effects of the prohibition, however, have been still longer and more complex trials, more appeals, and more reversals of convictions regardless of guilt. Its contribution to racial equality, if any, does not seem proportionate to its damage to effective enforcement of the criminal law.

Kennedy claims that there is "credible evidence that racial discrimination plays an on-going and large (though difficult to isolate) role in the allocation of capital punishment." The claim is not the traditional one of discrimination against black offenders, but rather one of discrimination on the basis of the race of the victim: the idea that a murderer of any race is more likely to be executed if the victim is white than if he is black. The extremely limited use of capital punishment, due to restrictions imposed by the Supreme Court at the urging of the ACLU and the NAACP—for example, jurors must not be allowed either too much or too little discretion—makes statistical comparisons debatable. In any event, the answer to the problem, if any, should probably be not to place further restrictions on capital punishment, as Kennedy favors, but to make it more readily available.

It is difficult to know what to make of Kennedy's complaint that "authorities should be candid" in discussing our racial past—for example, "the facts behind lynching and the failure to address it." How more and more detailed discussions of lynching, which virtually ended half a century ago, can contribute to solving today's racial problems is not easy to see.

How more and more detailed discussions of lynching can contribute to solving today's racial problems is not easy to see.

By far the most substantial of Kennedy's complaints is the serious and intractable problem of the appropriate use of race by law-enforcement authorities in the prevention and investigation of criminal activity. For example, may narcotics officers at airports use race as a factor in deciding whom to stop and question? Kennedy argues that they may not, even if a black is more likely than a white to be a crack courier. He criticizes the statement, by a court of appeals which upheld such stops, that "facts are not to be ignored simply because they may be unpleasant." The court "seems to believe," Kennedy objects, "that facts dictate the way the legal order should respond. This is erroneous."

Kennedy is similarly critical of a Supreme Court decision holding that Border Patrol officers policing the United States–Mexico border may consider apparent Mexican ancestry in deciding which cars to stop for brief questioning.

Mr. Graglia is the A. Dalton Cross Professor at the University of Texas School of Law.

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The Court noted that the stops were minimally intrusive but highly effective, in that about 20 per cent of the cars stopped were found to be transporting illegal aliens. Further, less than 1 per cent of all cars were stopped even though probably more than 15 per cent were transporting persons of Mexican ancestry. Kennedy finds it puzzling that these stops should be upheld by a Court that "has been exquisitely sensitive to charges that affirmative action unfairly burdens innocent whites."

It would undoubtedly be news to the many victims of the racial-preference programs upheld by the Court that the Court has been exceptionally sensitive to their interests. More important, race is not ordinarily a relevant qualification for employment or educational opportunities; it could hardly be more relevant to the enterprise of preventing illegal immigration from Mexico. Kennedy is correct that mere facts cannot "dictate" the law's response to a problem. The facts do, however, determine which responses are likely to be effective in correcting the problem, if that should be what the lawmaker is seriously trying to accomplish.

Kennedy recognizes that "a disproportionately large share of the nation's street crimes—robberies, rapes, murders, aggravated assaults—are perpetrated by . . . young black men." He nonetheless recommends, unrealistically if not impossibly, that law-enforcement authorities be required to act as if they were not cognizant of this fact. To do otherwise, he warns, may cause some blacks to feel "a bitterness and thirst for revenge that should alarm all Americans." He quotes a writer's statement that "my black Ivy League friends and I" have "infinite" contempt for American values and institutions and are "cynically . . . waiting for some as-yet-unidentified apocalypse that will enable us to slay the white dragon, even as we work for it, live next to it, and sleep with it." It appears that we indeed have much to fear, but it does not seem likely that so violent a hatred for American society from those who would seem to be among its most advantaged members springs from enforcement of the criminal law. An alternative explanation is that it reflects the resentment and frustration that inevitably result from the "affirmative action" programs that have placed most of the blacks currently enrolled in selective institutions of higher education.

Kennedy is undoubtedly correct that it is a disadvantage to be black in terms of law enforcement. But it is also a disadvantage to be a young male in terms of automobile-insurance rates. The law necessarily categorizes; the issue is whether the disadvantages of a categorization (rule) are outweighed by its usefulness; and little is more valuable to all citizens, black at least as much as white, than the effective enforcement of criminal law.

That Kennedy is a moderate in legal academia is illustrated by considering his objections to the views of Paul Butler, a graduate of Harvard Law School, and a professor at George Washington Law School. Butler published an article in the *Yale Law Journal*, legal academia's most prestigious publication, arguing that the nation's mistreatment of blacks absolves them from a moral duty to obey the law. The nation, he teaches his students, "has betrayed African Americans far more than they ever could betray it," and "the African-American criminal would not be a criminal" except for our racist society. It is therefore "the moral responsibility of black jurors to emancipate some guilty black outlaws." Accordingly, Butler "danced my freedom dance along with my sisters and brothers all over the world" when O. J. Simpson was acquitted.

Kennedy agrees with Butler that "racial discrimination remains a large and baleful presence in the criminal-justice system," as is shown by the law's allowing "police officers to take race into account in making determinations of suspicion," but he does not believe that racial problems are "as large, immutable, or one-dimensional as Butler suggests." He effectively refutes Butler's position on the grounds that it assumes blacks are incapable of acting as moral agents responsible for their actions, that it is not likely to improve the position of blacks in American society, and that returning unpunished black criminals to black communities is hardly in the interest of blacks, an overwhelming majority of whom believe the courts should treat criminals more harshly.

Kennedy is to be commended for his refutation of Butler, but it is hardly encouraging that Butler's views are respectable enough in legal academia—indeed, Butler is probably more representative than Kennedy of black law

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professors—to require refutation. Despite its relative moderation, the net effect of Kennedy's book is to emphasize, if not exaggerate, the prevalence and importance of racial discrimination in American society. This is probably not the best route to the racial reconciliation that he seeks. □

Phantom of the Theater

JEFFREY HART

JOSEPH Sobran is a devoted reader of Shakespeare, and in his journalism often an astute commentator on the plays. Would that he had given us his comments on the plays themselves, a book of criticism or interpretation. Instead, in the present volume he has occupied himself with trying to prove that Edward de Vere, Earl of Oxford, and not Shakespeare, actually wrote the plays.

This book has been receiving and will continue to receive sternly dismissive reviews, which may only deepen Mr. Sobran's belief that he is right about the authorship. Yet if I were teaching a university course on Shakespeare or on the English Renaissance, I would certainly assign it as a supplementary reading. I would do so for a couple of reasons.

Alias Shakespeare: Solving the Greatest Literary Mystery of All Time, by Joseph Sobran (Free Press, 311 pp., $25)

Mr. Sobran is steeped in the facts and lore of the period, and he provides a lively account of the political and literary scene in Elizabethan London. His profile of Edward de Vere is very fine: a violent, arrogant, learned, and witty courtier who liked the theater and would run you through with his sword as soon as look at you. Mr. Sobran's argument that this man wrote the plays would also give students a valuable case study in historical demonstration, how to decide among competing assertions and how to weigh what evidence we have, always asking where the preponderance lies.

Some have said that it does not matter who wrote the plays. After all we know little or nothing of "Homer," and his poems would be what they are no matter who wrote them. But history does matter, because we are historical beings. This we understand when we are told that Plato stole his stuff from forgotten African philosophers.

What Mr. Sobran has presented here is a sort of lawyer's brief for his proposition. It represents a good condensation of much earlier argument to that effect and adds some ideas of his own, such as that one of de Vere's motives for concealing his identity as author was his bisexuality, a theory that rests on a questionable reading of Shakespeare's sonnets. So far as I can judge, this may be the best brief possible for the de Vere thesis. As such, it has the paradoxical effect of demolishing it. The theologian Samuel Clark was a gifted man; as a wit said of him, no one doubted the existence of God until Clark tried to prove it.

The de Vere thesis, in the past and now, runs into two major obstacles. First, the time-line simply doesn't work. Edward de Vere died in 1604, and did so after at least some months of illness and weakness. Yet *Othello* appeared in 1604, when the Second Quarto of *Hamlet* was also published. *King Lear* appeared in 1605, *Macbeth* in 1606. De Vere's ghost must have been exceedingly active to have produced *The Tempest* in 1611.

In 1608, Shakespeare became a shareholder in the Second Blackfriars Theatre, not surprising for a successful playwright and sometime actor and manager. Shakespeare appears to have collaborated as what we would call a "play doctor" with John Fletcher on *Henry VIII* in 1613. A prosperous landowner, he died in April 1616 (the date is commonly placed as April 23, St. George's Day), in his hometown of Stratford and was buried under his own tombstone on April 25—12 years after de Vere died. That happens to be a great deal more than we know about most of the playwrights of his social rank or lower in Elizabethan/Jacobean England.

Beyond the virtually insuperable chronological problem, there is the testimony of other poets who indisputably knew William Shakespeare, who came from Stratford, and identified him as the man who wrote the plays.

To cite just one example: Ben Jonson, somewhat younger, saluted him upon the posthumous publication of the First Folio edition of his plays. This, a major event, occurred in 1623. When Jonson published his own plays in such an elegant edition it was considered somewhat insurrectionary, meaning that Jonson was claiming classic status. Play scripts were widely considered throwaways. Jonson, who knew Shakespeare, in 1623 welcomes him as a classic: "My gentle Shakespeare . . . Sweet Swan of Avon." That is, of Stratford-on-Avon. Jonson here celebrates him along with Marlowe, Chaucer, Spenser, and other indubitably historical figures. Edward de Vere makes no appearance in this company of celebrated poets.

Against all this and more, Mr. Sobran offers only dubious suppositions, coverups for which there is no evidence, and hypotheses such as that Shakespeare's plays have been wildly misdated, i.e., that none of them were actually written after 1604, no matter when they were released to the public; and, further, that everyone who mattered "knew" this, knew that de Vere had written the plays, and, when these initiates mentioned "Will" or "Shakespeare" or "Avon," they were winking to the knowing and all along meant de Vere. The fact is there is a great deal to connect Shakespeare with the plays and, except for Mr. Sobran's suppositions and inferences, nothing at all convincing to connect de Vere with them.

Besides the problems with dating and contemporary testimony, there are many misapprehensions in Mr. Sobran's argument. For instance, he says that Shakespeare at best had only a "grammar school" education. For all his knowledge of Elizabethan England, he appears unaware of the King's Free Grammar School at Stratford. Stratford was no rural hamlet but a prosperous market town, and Shakespeare's father was a man of some substance. William Shakespeare very probably attended this school.

There exists massive scholarship regarding such schools in the time of Shakespeare. They were a product of the Humanist revolution in the school

Mr. Hart is a senior editor at NR *and an emeritus professor of English at Dartmouth.*

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curriculum launched by Erasmus, Colet, More, Ascham, and Elyot. Oxford and Cambridge were irrelevant to most people—they were essentially professional schools. The school at Stratford was not a grammar school in anything like the modern sense, and at it Shakespeare would have been exposed to the new Humanist curriculum (see, for example, W. T. Baldwin, *Small Latin and Less Greek*, 1944). A typical grammar-school curriculum would have included:

English: Catechism, Psalter and Book of Common Prayer, New Testament, Queen's Grammar.

Prose (Latin): Aesop, Cicero, Sallust, Justinius, Caesar.

Verse (Latin): Quintus Curtius, *Distichia Moralis*, Terence, Virgil, Horace, Ovid, Plautus, Juvenal.

Sobran's subtitle very unfortunately says he has solved the 'Greatest Literary Mystery of All Time.' Please. There is no mystery.

At such grammar schools, taught by university men, the students recited and wrote themes and verses. When we read the opinion that Shakespeare had "small Latin and less Greek," we must remember that this estimate comes from the astonishingly erudite Ben Jonson.

There can be little doubt about what a young man of Shakespeare's verbal gifts could make of such a curriculum. Given what emerged a few years later, we have to think of a young man whose mind absorbed words the way Mozart's absorbed notes or Bobby Fischer's absorbed chess moves. Shakespeare seems to have gone down to London in 1587 or 1588, and there, in a crowded and cosmopolitan city, found his mind opened to astonishing verbal vistas.

He certainly arrived in London at a moment of startling European creativity for which many theories have been offered but which none really explains. Part I of Cervantes's *Don Quixote* appeared in 1605, as did *King Lear*. John Florio's English translation of Montaigne's *Essays* appeared in 1603, just in time for Shakespeare to weave Montaigne into the Second Quarto version of *Hamlet*. Tradition has it—and tradition should never be summarily dismissed—that Cervantes and Shakespeare died on the same day, April 23, 1616. This may or may not be a celebratory myth.

And certainly myths are bound up with the facts we have. Still, the evidence we have strikes me, as it has struck the overwhelming consensus of Shakespeare scholars over a long period of time, as disastrous for the de Vere thesis.

However, piling Pelion upon Ossa, Mr. Sobran throughout speaks in tones of contempt regarding such scholars, many of whom devoted their lives to just the texts and issues he addresses here. He calls them the "orthodox scholars," and even insinuates that "many of them" might have been bought, "subsidized by government treasuries." There is a nasty edge to all this, as if Mr. Sobran stands here heroically alone before the Diet of Worms, or, like Milton's Abdiel, alone resists Satan's lures. Mr. Sobran even claims that the "Stratfordian" thesis is "sterile" and, in conclusion, holds out a Pisgah vision of literary possibility if we use the de Vere thesis. His subtitle very unfortunately speaks of "solving the Greatest Literary Mystery of All Time."

Please. There is no mystery. In Samuel Johnson's phrase, Mr. Sobran has been milking the bull. He really ought to write the good book of which he is capable . . . on Shakespeare, who, in fact, wrote the plays. □

Off Center

ANDREW STUTTAFORD

"IT WILL not," writes James Gardner, "be obvious to everyone why O. J. Simpson's name should appear at the head of a chapter that touches upon Darwinism, the Holocaust, and French post-structuralist philosophy." Quite. But, as *The Age of Extremism* makes clear, we live in an age

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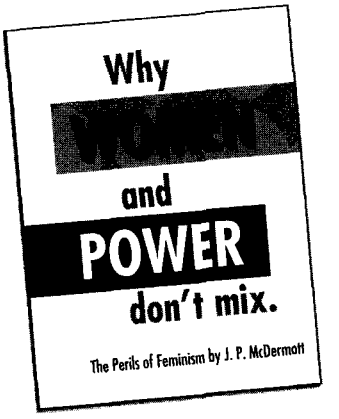
—Max Gordon



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of doubt. If nothing can be proved absolutely, then nothing can be absolutely true. But this is a flawed skepticism, one that paves the way for extremism. For, as Mr. Gardner explains, its corollary is a willingness to believe anything—"as long as it is at variance with

The Age of Extremism: The Enemies of Compromise in American Politics, Culture, and Race Relations, by James Gardner (Birch Lane, 240 pp., $21.95)

received opinion or unadorned common sense." The Holocaust never happened, O.J. is innocent, and the world was put together in seven days. The French post-structuralist? Oh, he believes the Gulf War never really took place.

To be sure, there's nothing new about nonsense, but now the extremes seem omnipresent and no one is arguing back. This thought-provoking book gives us the Kooks' Tour. It is a sharply written and often amusing guide. Klansmen, we learn, are old hood, Shriners from Hell lacking that "manic, Nietzschean edge to which the neo-Nazis and certain militia groups aspire." Perhaps these should look to the Church of Satan, "whose quest for self-actualization suggests vaguely right-wing, yuppie leanings."

But it is when he turns to his specialty, the arts, that Mr. Gardner, *NR*'s art critic, hits his stride. By the time he has finished, our "extremist culture" is eviscerated, dismantled as effectively as the corpse in a Joel-Peter Witkin photograph. What's left is not pretty; it is little more, the author concludes, than a childish attempt to "gross out" the audience. "Performance artist" Mike Kelley probably achieves this when he defecates onto stuffed animals, but so what? As a gesture in the tradition of the rebel artist it's pretty lame, an angry shoving at an open door. For we live in a society where the Center (a term that Mr. Gardner uses to mean the broad consensus) accepts these gestures. Mr. Witkin's photographs were at the Guggenheim, *Reservoir Dogs* (torture, burnings to death) wows the film critics, and *American Psycho* (torture again, cannibalism, Grey Poupon) is in a bookstore near you. In Mr. Gardner's view, this artistic "rebellion against the Center has become one of the fixtures of the Center, and thus, in the final analysis, it is really no rebellion at all."

Mr. Stuttaford is a writer in New York.

So we can all relax, then? The United States, Mr. Gardner feels, is becoming *more* cohesive, not less, as society assimilates those it once marginalized. The remaining outsiders, driven as much by their psyches as by any political or social concerns, are forced to ever greater shrillness just to be heard. But it will not matter. In tones worthy of *Star Trek*'s all-consuming Borg, Mr. Gardner concludes that the Center will probably absorb what it wants from its opponents and move on reinvigorated. "Through its encounter with these extreme voices, the Center will arrive at a stronger and more confident sense of its identity than it had before."

That is unusual optimism from a contributor to *NR*. Just what is it that the Center is absorbing? Are there any side-effects? With the exception of the arts, Mr. Gardner never really says. Partly this is a function of his definition of extremists as, roughly speaking, those whose sole raison d'être is a rejection of the Center. This is too narrow. So far as politics is concerned, it leads him to focus on an irrelevant and truly lunatic fringe. The extremists who really matter largely escape his gaze, simply because they have chosen, to some extent at least, to work within the system. They are relentlessly balkanizing America by race and by sex, dopily "spiritual" and nastily closed-minded. But don't look for them in some East Village squat. Try elsewhere: the universities, the media, the White House.

This thought-provoking book gives us the Kooks' Tour, where Klansmen are old hood.

These people are now setting the Center's agenda, and therefore, they cannot really, by James Gardner's definition, be extremists. But, to the extent that they have internalized the attitudes of the Sixties, that is just what they are. Citing the rows over political correctness, Mr. Gardner concedes that the Center has been going through some rough patches, but he sees this as unsurprising in a time of change. He is too sanguine. In refashioning the Center, the new establishment is wrecking it, alienating it from its past, its traditions, and its identity. Elsewhere, the author writes of "that sense of malaise and lingering sadness" that permeates our society. Well, this is why.

And it is going to get worse. A culture fixated on the twin goals of half-understood diversity and bogus assimilation is unlikely to succeed, particularly when what core values its elite has are the shifting prejudices and inchoate leftism of thirty years ago. Lacking any degree of real intellectual certainty, it has proved hopelessly incapable of dealing with the extremes. For the Center, therefore, the notion of "inclusion" becomes little more than the formula for an orderly surrender.

Mr. Gardner seems to find this bearable, part of the price we must pay as society progresses towards "a wealth of diversity within a context of a common interest and a common culture." And pigs might fly. Yes, the extremes are ever noisier, but these are bellows of triumph, not cries of despair. Society is moving on, but toward a malevolent shambles truly worthy of Mr. Gardner's descriptive talents. □

FILM

Love In Three Keys

JOHN SIMON

THIS will be the real test. Hitherto homosexuals in mainstream movies were marginal characters, or unequivocally comic or tragic figures. Now comes Terrence McNally's screen adaptation of his play ***Love! Valour! Compassion!*** and all is changed. This is the story of three country weekends involving eight undefused homosexuals. They love and hate, play and wrangle, kiss and carry on, are connubially devoted or brazenly promiscuous. Theirs is an enclosed, self-sufficient world, with no soft-pedaling of sexual

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appetites and activities, and no concessions, let alone apologies, to heterosexual sensibilities.

How will American audiences react? Joe Mantello, who directed the play off and on Broadway, also directed the movie. He is quoted as hoping that "audiences will see the eight characters as one particular group of individuals, and not a representative cross-section of gay men." This strikes me as disingenuous.

Gregory Mitchell, in whose cozy Victorian country house the action takes place over three summer-holiday weekends, is a dancer turned choreographer and, at the onset of middle age, anxious about his body's aging. He lives with Bobby Brahms, a much younger pretty-boy type, who is blind. The idea, I suppose, is to show that afflictions exist in the homosexual world too: thus Gregory stutters when excited. Two of the houseguests are a professional couple, Arthur Pape and Perry Sellars, an accountant and a lawyer, who have been living conjugally for 14 years. Arthur is

Love! Valour! Compassion! *will be the real test for homosexuals in movies.*

earnest and very proper, clearly the husband in the relationship; Perry is flighty, funny, a bit bitchy—the wife.

John Jeckyll—British, mean, and woundingly sarcastic—is a composer-pianist. Ramon Fornos, his lover of three weeks, is a thuggishly handsome young dancer, cocky, ignorant, and unstable. As a tip about their relationship, we see John packing handcuffs for the first weekend. For the second weekend, they are joined by James, John's twin brother: a swishy but extremely good-natured queen, dying of AIDS. John and James are played by the same actor, which made for onstage bravura but is not well exploited on film.

There is also a single, Buzz Hauser, from the fringes of show business, who knows every musical by heart and is a compendium of show-biz trivia. Fat, homely, and HIV positive, he has a hard time finding lovers, but compensates by being the life of the party. Wonderfully incarnated on stage by Na-

Mr. Simon is NR*'s film critic.*

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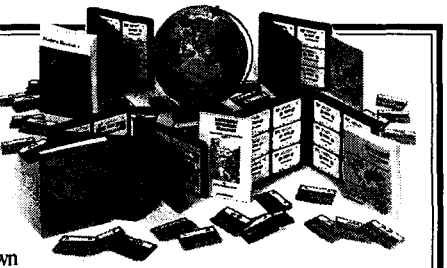

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than Lane, he is diminished in every way but girth by the one newcomer to the cast, *Seinfeld*'s Jason Alexander. These are the characters disporting themselves over a year's Memorial, Independence, and Labor Day weekends in Gregory's secluded lakeside Xanadu.

That they are types is suggested by their very Restoration-comedy–style names. Buzz (gossipy) Hauser is the perennial houseguest. Pape connotes papa, a good, fatherly sort. Perry Sellars evokes Peter Sellars, the campy stage director. Fornos is, of course, a Hispanic furnace of hot sex. Bobby is Brahms, I suspect, because of that composer's pleasantly anodyne music. Gregory Mitchell suggests a clean-cut WASP, which must be how McNally likes to be perceived.

The movie somewhat softens the play's language, I think, but has plenty of sexual situations and frontal nudity, and the closeups may make it more suggestive than the play. When the boys, for a forthcoming AIDS benefit, rehearse the here somewhat augmented cygnet *pas de quatre* from *Swan Lake* in full costume, a culmination is reached, especially as during it, in voiceover, each character summarizes the rest of his life and his mode of dying.

But unable to leave well enough alone, McNally has things drag on in order to climax in a nocturnal skinny-dipping scene. Though John, characteristically, abstains, this is a comparatively happy ending, more or less effacing the memory of the upheavals preceding it. Except for Alexander's, the performances are effective, and Mantello has done well enough for a first-time movie director. The music by Harold Wheeler, better known as an orchestrator, is saccharine; not so Alik Sakharov's cinematography. Now let that polling booth known as the box office decide.

■ Little as I care to review the excruciatingly monotonous ***Children of the Revolution*** from Australia, I do so lest interested readers mistake it for a valid political comedy. It concerns Joan, a grimly tunnel-visioned Australian Communist, who writes mash notes to Stalin and ends up spending a night with him in the Kremlin, where she seemingly gets impregnated, while he, from the strain of sexual exertions, dies in the act.

I said "seemingly" because another claimant to this paternity is the spy known as Nine, a double agent for Australia and the Soviets. Back home, Joan lives in a kind of *ménage à trois* with him and Welch, her adoring suitor—a Communist just for her sake—whom she lovelessly marries. Her son, Joe, is brought up a good Communist by his humorless, unreconstructed mother, but turns into a curiously kinky dictator, who relishes being jailed. This is partly because he enjoys being handcuffed by Anna, the pretty arresting officer, with whom he has fallen in love.

There is much more, alas, which I am happy to spare you. The film is uncertain of tone, stumbling about between expressionism and absurdism, quasi-documentary realism and sophomoric satire, and never funny or involving. Peter Duncan, whose first feature this is, is a former lawyer, and his movie is a laborious, overlong brief. The gifted Judy Davis prevents the one-dimensional Joan from becoming a total loss, and Sam Neill brings genuine urbanity to the fuzzy role of Nine. Best of all is Geoffrey Rush (David Helfgott in *Shine*) as the faithful Welch, who marches on with Joan even after her cause has become irrevocably bankrupt. Richard Roxburgh is undistinguished as Joe, and Rachel Griffith unappealing as Anna. The Soviets are operettaish stick figures, with F. Murray Abraham, imported from the United States, worst by far. For all his elaborate makeup, he does not even manage to look like Stalin, much less convey him. Neither funny nor menacing, he is merely hammy and obnoxious. Peter Duncan's next is called *A Little Bit of Soul*, the very thing the writer-director lacks most.

■ ***Ponette***, by Jacques Doillon, is about a four-year-old who loses her mother in a car crash, and whose father is often off on business. Left with a nice aunt and cousins in another town, Ponette is inconsolable despite new school chums and a sympathetic teacher, as well as a charming companion in her barely older boy cousin. She searches for her mother everywhere, and is not helped by the conflicting explanations of death all and sundry give her. At last, in the cemetery, where Ponette tries to dig her up, *maman* appears in something more than just a vision, and helps Ponette find peace.

Doillon, a paterfamilias of working-class origin, is smart and talented, and his method of finding the right children and working with them commends itself for originality and good sense. He established a splendid relationship with little Victoire Thivisol and the other kids, and made a film whose texture and dialogue are compelling, sometimes almost too good to be true. You question whether an adult, however sensitive and insightful, can lay claim to so much knowledge of how tots feel, think, and behave. Still, up to the supernatural ending, *Ponette* is absorbing: the adult actors lovely, the kids marvelous, and Victoire some kind of miracle.

She was voted best actress at the 1996 Venice Festival but, as Doillon told me, took the award coolly in her stride. To be sure, one wonders what "performance" means to a little girl, even if her achievement is the finest since Brigitte Fossey dazzled us in René Clément's *Forbidden Games* (1952), a masterpiece Doillon has some cavils with. In any case, Jacques Doillon and Victoire Thivisol make us look at their subject with fresh eyes, which is what all true art ultimately comes down to. □

THEATER

Down and Out in London

HERB GREER

THE London theater has been passing through a persistent scarcity of good new plays. A prominent symptom was Harold Pinter's latest gnomic, and incredibly tedious, *Ashes to Ashes*. It quickly expired in the West End, leaving the English stage hungrier than it has been for some time. As always, this pinched condition has provoked a scattering of hopeful revivals, including a good one of

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Pinter's *The Homecoming*. The startling contrast with *Ashes to Ashes* showed how far Pinter has fallen away from the genuine promise of his early work.

From the time when I first saw two of his one-act plays in a North London hall in the Fifties, it was clear that Pinter's flair as a theatrical craftsman was impressive. The novelty in his box of theatrical tricks—fresh and innovative then, but much satirized now—was his discovery that the most banal conversation can be heightened and given apparent "meaning" by introducing arbitrary pauses among lines of dialogue. This manipulative stunt opened a kind of vacuum which critics rushed to fill with their own speculations about unspoken profundity and "menace." Pinter found himself labeled as a sort of theatrical guru, whose work hinted at revelations about the depths of human experience, life and death, etc.

The apparent idea of Mountain Language *was that oppression is a bad thing. Another play made the same point about torture.*

This was surprising, because Pinter then had absolutely no intellectual pretensions. He had finished secondary school, bypassed university to become an actor, and moved on to playwriting. It was his peculiar fortune to arrive just as British theater was undergoing a curious transformation. Where most playwrights before the mid-Fifties had played *for* the audience in the traditional manner, the new crop began to play *at* the audience, to "make them think."

By the Sixties the association of Pinter with a stage work was enough to ensure respectful attention. There now existed a style called "Pinterism," deployed most successfully by Pinter himself. The "pause" mannerism had become his particular property, along with a trick of arbitrary repetition which he may or may not have borrowed from American writers like Ernest Hemingway. He was now the proprietor of a mystique in contemporary theater like that of Samuel Beckett, complete with intimations of mystery and awesome (if always rather unspecific) wisdom lurking in the hidden depths of his plays.

After a while, Pinter began to show signs of believing his critical adulation. He left his theatrical wife for a literary lioness, biographer Antonia Fraser. The pair and their friends assumed the role of an intellectual elite to show the nation the error(s) of its ways; they convened a salon of suburban champagne socialists like novelist Margaret Drabble and playwright John Mortimer. This little radical-chic klatsch provoked more mocking public laughter than political change.

Pinter's public utterances betrayed a definite etiolation of his sense of humor. He published a book of prose and dreadful poetry. He traveled to Turkey with Arthur Miller and allowed himself to be used for propaganda purposes by a Kurdish terrorist organization; he then insulted the American ambassador over dinner with accusations that the embassy was encouraging torture in Turkey. On his return to England he (with Miller) published a bragging article about all this fun and games in a prominent London Sunday newspaper. Later he recorded a half-hour television speech, denouncing Reagan and the Americans for "killing hundreds of thousands of people a day."

While the thick cloud of critical pretentiousness continued to intoxicate Pinter, he did develop another side of his talent as a superb director of other people's work. And his own plays were changing. By the Eighties he had adopted a messianic air, writing down to his audience in over-mannered theatrical statements which were elliptical, vaguely indignant, and—he said—"political." His characters, never very rounded, now began to flatten into the cardboard figures of agitprop. In *Mountain Language*, for example, he created a brief sentimental sketch of members of a minority who suffer for speaking their own language. The apparent idea was that oppression was a bad thing. Another short play (all his new plays were now short) made the same profound point about torture.

Ashes to Ashes is the latest work in this new canon. It is a half-hour of cryptic hints about marital cruelty and political oppression, exchanged in and around an easy chair in a living room by a bland man and a woman who is possibly his abused wife. There is no trace of humor. During thirty minutes of banal, incredibly tedious chat they pause a lot, squirm, glare, breathe hard, and get up and sit down once or twice; at last the lights go down. Critical reaction was mixed. A few apostates thought there was nothing to the piece. Among the faithful, Alistair Macaulay of the *Financial Times* was probably the most dazzled (and incoherent): "it may be important to say that not understanding Pinter is a very great pleasure. To feel the elusiveness of his meaning is, in fact, to come very close to its essence."

If you emetize like that over a playwright long enough, he will—even if he is a saint—eventually stop wiping it off his face and come down with a case of ego-rot. Maybe a good Samaritan could found a clinic and treat Pinter for critical intoxication. With luck, he might dry out, learn to laugh again, and even write a good play. □

MANNERS

Marilyn Manson, Nice Guy

RICH LOWRY

ON stage, Marilyn Manson looks like a long pale worm. Checking in at 6'1" and 135 pounds, he has a build similar to that of Manute Bol, a seven-foot, stick-thin former basketball player from Sudan whose career was tragically cut short by his inability to dribble, pass, or shoot. Manson is more fortunate. He can't sing or write song lyrics, but is nonetheless enjoying a run as one of the nation's hottest rock stars.

Manson is—as his critics say—certainly a symbol of American pop culture's continued race toward depravity. His latest album is titled *Anti-Christ Superstar* and his lyrics celebrate things like suicide, destruction, and disease. But

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what Manson is about on a deeper level is our culture's premiere value: hype. The old injunction to "shock the bourgeois" long ago was amended to "shock the bourgeois—and sell millions of dollars worth of albums to their children."

This weird marketing dynamic is suggested even by Brian Warner's stage name, Marilyn Manson. "Marilyn" is a reference to superstar Marilyn Monroe, "Manson" to super-murderer Charles Manson, a co-mingling of celebrity and criminality. The band's popularity is at least a partial validation of the idea behind Oliver Stone's odious *Natural Born Killers*, in which two serial murderers become beloved celebrities. Any publicity—even as a deranged Satanist—is good publicity, so long as it filters down to teenagers ready and able to spend their parents' money.

At a recent show in Washington, D.C., the median age of Manson's audience was about 14. Parents paced in the back of the hall before the show like chaperones at a prom, one dad explaining how he didn't want his teenage daughter to come alone—then fielding a cell-phone call from Mom. Other parents waited outside in cars to pick up their kids, who were decked out in black costumes, sinister make-up, and T-shirts reading "666" or "American by Birth, Anti-Christ by Choice." ("Mom, I'm going to listen to Satan music. Can you pick me up at 11 o'clock?")

The basic appeal of Manson's music is the same for teenagers as saying dirty words. The warm-up band—an unlikely ensemble that played, of all things, three cellos—at one point asked the audience, "Do you know what 'feces' means?" Everyone called out: "S—!" (Hey, it's not an SAT word, but we'll take what we can get.) Manson, whose voice makes Bob Dylan sound like Pavarotti, sings one song that, as far as I can tell, consists almost entirely in yelling the word "goddam." His oeuvre also frequently features "mother-f——." The kids love it.

And why shouldn't they? Manson's act is a calculated attempt to take the two things mothers always tell children it isn't polite to talk about—religion and sex—and be as rude about them as possible. He sings the songs of his *Anti-Christ* album—chronicling the rise of a world-destroying demon (or something like that)—against the backdrop of a large stained-glass window and a cathedral façade. Ripping up a Bible is a frequent stage trick.

Meanwhile, the bare-chested Manson writhes on stage wearing women's nylons, a back-brace/corset, and long lace gloves up to his elbows. The get-up is designed to create as twisted a counter-image of sexiness as possible (one T-shirt on sale at the concert reads "Sex is dead"). Between inviting his audience to spit on him and cutting himself with broken glass, Manson will rub his own nether regions in what might be the most objectionable part of his show.

Even if Marilyn Manson does belong to the Church of Satan, he's also an Episcopalian.

But, interestingly, the tyranny of niceness that Allan Bloom first identified on college campuses has become so widespread it infects even figures like Manson. Howard Stern recently starred in a movie about himself based entirely on the idea that he's a nice guy, even if he does make his living telling disgusting jokes in public. Manson too wants it known that he doesn't, as rumor has it, torture puppies or fellate fellow musicians on stage (he did the latter only once). And even if he does belong to the Church of Satan, he's also an Episcopalian.

"Niceness" is the one value no one dares transgress. It's open season, of course, on everything else. I doubt kids take Manson's staged evil too seriously. But the iconography of his shows—the self-laceration, the back-braces and bizarre crutches, etc.—is a celebration of pain and perversity. He joins so many other influences in the culture—the film *Pulp Fiction* stands out—that treat cruelty, violence, and deviance as the subject matter of campy jokes or as casual tools to be wielded by a hip elite.

Manson will deny promoting any values whatsoever: he's just for people being themselves. His fans instinctively say the same thing, falling back on a tolerance defense that inevitably turns common sense on its head. One girl in black lipstick earnestly explained that Manson minds his own business, in contrast to the Christian protestors handing out fliers outside the show. "Passing out those little Christian papers," she assures me, as the lights go dim and Manson makes his entrance, arms spread wide in a none-too-subtle crucifixion reference, "That's wrong." □

BOOKS IN BRIEF

How Far from Austerlitz? Napoleon 1805–1815, by Alistair Horne (St. Martin's, 427 pp., $26.95)

THE author is the renowned British historian whose specialty is France, besotted for a century and a half with glory and humiliation, power and powerlessness, a history dominated by the mythogenic figure of Napoleon. Mr. Horne's current contribution tells the reader everything he'd want to know about the military vicissitudes of Napoleon's career, and much else that informs, amuses, and repels. Napoleon was a creative genius whose extra-military accomplishments endure. The French have him to thank for the lycées, for the metric system, for their legal code, and for the layout of Paris. But the price for the above was dead bodies. The book reminds us of what we learned from *The Price of Glory*, Mr. Horne's storied account of the First World War. It is that whatever the capacity of great generals to weep for the loss of their men, by sundown they are merely ciphers whose end caught the emperor/general's attention only on two scales: How many men did the enemy lose? And, How hard will it be to find replacements? Mr. Horne's famous eye for detail instructs us that the loss of horses in the Russian campaign of 1813 outweighed in military gravity the loss of men. Of the latter, a half-million; replaceable. Of the former, 180,000. The stock of military horses had not been replenished when, eight years later, Napoleon ended his forlorn life on St. Helena. There are many who, many years ago, swore never to read one more book about Napoleon Bonaparte. *How Far from Austerlitz?* reminds us that swearing is a bad idea, here standing, except for those of us who know when to transcend our oaths, between the reader and an engrossing work by a master historian.

—Wm. F. Buckley Jr.

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McDOWELL
(Continued from page 42)

but merely judgment" would be guided by the "intention of the people" as expressed in the Constitution and not by the mere "intention of their agents" as expressed in law. It was precisely this notion of constitutionalism that led Chief Justice John Marshall to proclaim a written constitution to be "the greatest improvement on political institutions."

When one surveys present-day opinions of the Supreme Court there is no doubt that some of the justices are all too ready to supplant the original meaning of the Constitution with their own private notions of morality. From the invention of the right of privacy in *Griswold* v. *Connecticut* to the discovery that there was an undiscovered constitutional right to abortion in *Roe* v. *Wade* to the astonishing view expressed by Justices Souter, O'Connor, and Kennedy in *Planned Parenthood* v. *Casey* that it is the job of the Court to lead the people and to "speak before all others for their constitutional ideals," including (but apparently not limited to) conceptions "of existence, of meaning, of the universe, and of the mystery of human life," the pattern is clear. The willingness to ignore the text and intention of the Constitution in favor of their own views of right and wrong has led to jurists who "roam at large in the trackless fields of their own imaginations." And that, as Hobbes said, is "unjust."

The effort to find a cure for this judicial distemper has led to confusion in the conservative ranks and has issued in calls to revive the idea of natural law as a brake on "constructive ingenuity." But the idea that such moral finagling by judges and justices will be cured by urging a recourse to natural law or natural rights misses the point; it is precisely such a recourse that has brought us to the sorry state in which we find ourselves. As Justice Hugo Black never tired of pointing out in his war against such perversions as *Griswold*, such decisions can be reached only by judges who are willing to engage in a jurisprudence based on what Black called the uncertain foundation of natural-law reasoning. The reason, as Justice James Iredell wrote in 1796 in *Calder* v. *Bull*, is that "ideas of natural justice are regulated by no fixed standard" and as a result "the ablest and purest men have differed upon the subject."

Rather than seek political salvation in the idea that there is an "unwritten constitution" more conservative than liberal, relief is to be had only by taking seriously the claims of the positive law of the written and ratified Constitution that understood itself to be a "reflection" on human nature and on the fact that as men were not angels neither were angels to govern men. The proper recourse against the judicial activism of our time is the recovery of the Founders' Constitution and their way of thinking about constitutional matters.

A good guide out of the judicial "kingdome of darknesse" would be Justice Joseph Story. Constitutions, Story argued, are "instruments of a practical nature, founded on the common business of human life, adapted to common wants, designed for common use, and fitted for common understandings." There is nothing mysterious or metaphysical about them; they do not demand "the exercise of philosophical acuteness" in order to delineate "elaborate shades of meaning." The proper understanding of constitutions is simple: "The people make them; the people adopt them; the people must be supposed to read them, with the help of common sense; and they cannot be presumed to admit in them any recondite meaning or any extraordinary gloss." It is by the "extraordinary gloss" of present-day constitutional interpretation that the foundations of the Constitution and hence of liberty have come to be threatened.

The danger to republican liberty from judges who are willing to impose their moral views on society through their constructions of the Constitution has never been better expressed than by Justice Benjamin Curtis in his dissent in *Dred Scott* v. *Sanford*. "When a strict interpretation of the Constitution, according to the fixed rules which govern the interpretation of laws, is abandoned, and the theoretical opinions of individuals are allowed to control its meaning," Curtis argued, "we have no longer a Constitution; we are under the government of individual men, who for the time being have the power to declare what the Constitution is, according to their own views of what it ought to mean." The strongest arguments against such a dangerous view of judicial power are found in Hobbes, whose understanding is conservative in the best sense of the term. □

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26 O	27 U	28 Z		29 U	30 Z	31 O	32 I		33 U	34 A		35 L	36 U		37 B	38 Y	39 V		40 U	41 O	42 W	43 H	44 Q	45 X	46 V	47 R	48 Z	49 L	50 A
51 N	52 M		53 P	54 A	55 E	56 M		57 B	58 Y		59 J	60 Q	61 E	62 Y	63 S		64 U	65 J	66 Y		67 S	68 W	69 O	70 Z	71 K	72 N	73 B	74 J	
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125 Q		126 K	127 O	128W	129 Q	130 J	131 U	132 A	133 D	134 I	135 R	136 S		137 G	138 L		139 C	140 D	141 O	142 T	143 X	144 Z	145 U	146 V	147 E	148 H	149 Y	150 W	
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176 A	177 Z	178 C	179 V	180 X		181 Q	182 I		183 S	184 Q	185 W		186 C	187 A	188 Z	189 J	190 H	191 Y		192 X	193 U		194 Y	195 L	196 V	197 U	198 P		199 X
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224 S	225 U	226 Z	227 R	228 A		229W	230 V	231 X	232 U	233 J	234 Y	235 S		236 N	237 X		238 J	239 V	240 S	241 O	242 Z	243 D	244W	245 U	246 I	247 M		248 H	249W
250 I	251 A		252 E	253 P	254 O		255 L	256W	257 R	258 P	259 Z	260 U	261 Y	262 S		263 U	264 O	265 D	266 C	267 I		268 N	269 B	270 D	271 F	272 X			

DEFINITIONS

A. One who snares beasts (or men) for a reward (2 words)
50 7 54 11 132 251 94 176 103 34 187 / 228

B. D. W. Griffith's classic propaganda film (4 words)
15 1 91 37 206 57 217 200 269 105 14 / 73 152 170

C. Chief petty officer's emblem
18 178 139 79 266 186

D. Captain Cook's name for Vanuatu (2 words)
173 109 166 140 216 265 117 133 270 207 243

E. Away from the house (2 words)
147 61 55 124 219 252 167

F. Chomping at the bit
90 223 93 271 163

G. Make obeisance, in China
20 203 113 95 137 221

H. Cush, Abyssinia
190 248 89 43 76 164 148 10

I. Executive space, said to be plentiful (4 words)
267 182 134 81 110 205 32 160 250 17 246 / 4

J. America's first black naval officers (3 words)
78 233 25 130 238 175 158 5 74 123 65 / 189 201 59 161 120 104

K. Stranger to one's locale (3 words, hyphenated)
3 107 202 126 174 71 118 23 111 156 218

L. Vespasian (2 words)
151 49 155 100 121 138 24 169 195 35 255 / 87

M. Mead's primary ingredient
222 97 247 52 56

N. Reliable Yellowstone landmark (2 words)
236 84 171 204 72 172 159 114 119 268 51

O. Seminal Supreme Court case (3 words)
210 264 141 127 8 241 254 85 101 31 26 / 69 96 165 41

P. Daring
214 258 53 253 9 162 88 198

Q. Gleameth
44 60 129 157 125 181 184

R. Guildsman's rank between apprentice and master
257 13 16 168 47 227 6 220 211 135

S. Household whose children have grown and gone (2 words)
63 67 240 183 262 235 86 136 224

T. "____, my lord, ____! a soldier, and afeard?"
98 142 83

U. Tempting fate (3 words)
193 263 33 77 232 40 212 27 64 245 260 / 99 112 145 122 131 36 29 225 197

V. Salesman's wining and dining fund (2 words)
196 154 239 46 12 82 39 146 215 179 115 / 230 21 106

W. Gershwin triumph which brought jazz to the concert hall (3 words)
108 249 68 116 244 22 42 150 92 256 229 / 128 209 185

X. Tenant farmer
143 208 102 231 80 19 272 192 45 199 180 / 237

Y. Available on the commercial market (3 words)
66 191 75 149 38 234 62 2 194 261 58

Z. Notwithstanding all that
70 153 226 242 213 144 30 28 188 177 259 / 48

Solution to last issue's Trans-O-Gram. BUCHANAN: *Self-Government*: "The right of resistance on the part of the governed against the oppression of their governments cannot be denied. It exists independently of all constitutions, and has been exercised at all periods of the world's history."

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ON THE RIGHT / Wm. F. Buckley Jr.

Cronkite's Alliance For What?

NEW YORK, MAY 23

Walter Cronkite, for very good reasons the heartthrob of wholesome America, has sent out a letter for general circulation in behalf of "The Interfaith Alliance." The letter's purpose is to ask recipients of it to send money to the Alliance in order to combat the Christian Coalition. Mr. Cronkite introduces himself (as if that were necessary) by saying that in years gone by he needed to conceal his own strong opinions but now that he is no longer the anchorman of CBS, he feels free to ventilate these opinions. On the particular subject at hand—he is writing in behalf of the Interfaith Alliance—he tells us that he is, himself, "a person of faith. I work very hard at being a Christian." And immediately announces the purpose of his appeal: opposition to the Christian Coalition, which "does not speak for me."

Okay. But the reader of Mr. Cronkite's petition completes the letter without any idea at all what the writer's objectives are. He tells us only that the Christian Coalition is a "genuinely radical movement, known as the religious right wing." We are prepared to believe that any genuinely radical movement is bad, perhaps with this or the other exception, like opposition to war in Vietnam or to segregation in the South.

So what else does Mr. Cronkite's package give us? A letter from the president of the Interfaith Alliance, the Rev. Albert M. Pennybacker. What does *he* tell us is the purpose of the Alliance? He begins his letter with two quotations from leaders of the Christian Coalition, one from Ralph Reed, the other from Pat Robertson. This last is the most inflammatory, and therefore the most quotable. Evidently he said, or, somewhere, wrote,

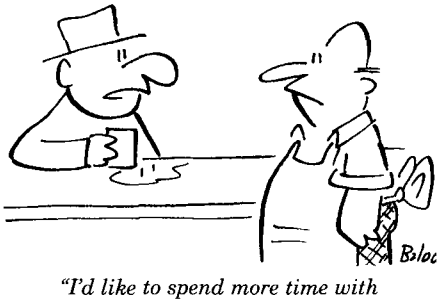
"In America today, the people who have come into (our) institutions are primarily termites. They are into destroying institutions that have been built by Christians . . . the termites are in charge now, and that is not the way it ought to be. The time has come for a godly fumigation."

Now this is combative language, but very much in the American tradition. The first little piece I wrote for publication (in 1948) wondered out loud about the decorum of the charge by President Harry Truman that the Republican Party of Governor Dewey yearned to return to the age of a Hoover Depression in order to, yet again, "grind its heel on the neck of the poor." I thought this indefensible language, but then I was only 22 and hadn't grown up. If the American Civil Liberties Union wants to go after someone who objects to publishing the Marquis de Sade, it is quite capable of saying that the protestor represents the forces of repression and censorship. Americans United for Separation of Church and State wouldn't think twice before charging that anyone who wishes a prayer said at the beginning of the school day wants to repeal the First Amendment.

Suppose we transcribe the florid statement of the Rev. Pat Robertson into drawing-room prose. What is he saying?

"In America today, the men and women who dominate our institutions are agents of change. They are bent on transforming institutions that were built by the founders of American society. They are dominant now, and that is not the way it ought to be. The time has come for a thorough cultural laundering."

Should Americans thus addressed have any problem with that? We do acknowledge, do we not, that traditional institutions have changed? No one would deny that this is so in the Supreme Court—its decisions on religion, on obscenity, on libel, abortion—have certainly changed what used to be official positions on these matters. No one is likely to hold that the White House and Congress, judged in the main, are governed by the same presumptions that obtained fifty years ago. And of course the academies are everywhere acknowledged—indeed, hailed—as agents of modernism in every direction: the law, economics, literature, religion, feminism, sex. Why should Mr. Robertson be faulted for observing that the institutions of yesteryear are under attack, by—to use his metaphor—termites?



"I'd like to spend more time with my family, Joe. Could you serve these drinks a little faster?"

What Mr. Cronkite and the Rev. Pennybacker leave the reader asking is, What does their Alliance want? Their solicitation does nothing at all to identify what it is that its trustees—mostly ministers, bishops, a rabbi or two—want? Or *don't* want?—other than that they do not want Messrs. Robertson and Reed and the Christian Coalition. Do they want/not want the restoration of prayer in school? A voucher-right for dissatisfied parents? A fresh look at whether *Deep Throat* is okay at the local movie house?

But we aren't let in on these questions, which makes us think that Mr. Cronkite is *still* under wraps and reluctant to tell us what is it he is working hard at, in pursuit of Christian ideals for his country. □

French Binge

NEW YORK, JUNE 3

The election in France reminds us of the instability of political democracy. Four years ago the socialists were all but wiped off the map. On Sunday the reversals did almost as much to the French Right. A wild oscillation, bringing to mind the experience of Canada in recent years. The Progressive Conservative Party was all but wiped out there and now Mr. Chrétien advocates policies not so different from those of Mr. Mulroney. What happened just now in France is another bout of what Albert Jay Nock dubbed the "substitution of political for economic means of self-advancement." If you want higher income, don't struggle to make more mousetraps. Vote for the government that will give you more. Last fall French truckers struck. Their demands? Retirement at full pay at 55. (Why not 45?)

Consider the promises of M. Lionel Jospin. To begin with he will shorten the work-week to 35 hours. Reflect . . . There are 13 per cent unemployed in France. So if you shorten the work week by 13 per cent, doesn't that suggest that a demand for the services of the unemployed will spring up? Neat. The difficulty is that people who believe this are playing games, moving blocks around and whinnying over the prospective results, which do not materialize. They are thinkers in the sense that those who would lift the common prosperity by the simple expedient of lifting the minimum wage are thinkers.

True, light was shed in the otherwise capricious exercise of democratic power. It is light shed on the whole idea of the com-

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mon currency, the so-called euro. Consider the basic quarrel:

The Maastricht Treaty specifies that to qualify to join in the European Monetary Union a country must not, in the two years before joining, undergo a budget deficit higher than 3 per cent of the gross domestic product. The socialists indirectly, the Communists explicitly, transformed the economic discipline of Maastricht into an attempt by Germany's Bundesbank to take control of the economy of Europe.

Now there is a sense in which this suspicion is correct. The German mark is strong notwithstanding the welfare state and German unemployment (11 per cent). If the voice of Maastricht is the voice of Germany and if the voice of Germany is the voice of the Bundesbank, then it follows that the 3 per cent requirement is imperialistic German economic activity. On the other hand, Germany is not asking of its prospective euro partners anything it isn't requiring of itself.

But the kind of thing that looms in France is exactly the kind of thing Maastricht thought contingently to cope with. The model, as advanced by the Europeanists, is a great geopolitical pool within which economic weaknesses are quickly sensed and palliatives instantly extravasated to the rescue. If France suffers from symptoms of a depression, what it needs to look after itself is what will flow to it from its seamless economic frontier: labor, capital, enterprise. What Maastricht seeks to guard against is any opportunistic fiddling with its own currency by individual nations. It is very easy to increase the volume of French exports (in the short run) by devaluing the Franc. But under Maastricht, a partner loses this option inasmuch as there is only one currency, the euro; and its value cannot be changed for the particular convenience of any one country. When in 1992 the British devalued sterling, the quick economic nourishment that resulted persuaded many Brits that local control of the currency is indispensable to the full exercise of sovereignty; and the suspicion of life under euro—and the hostility toward its political understructure—has brought on what will almost certainly guarantee that the plebiscite ahead will doom Maastricht, or shorten its reach.

The French will now proceed not quite along the lines of François Mitterrand, who in his first three years all but destroyed the burgeoning French economy, but in the statist direction. The long-term consequences will be the end of Maastricht as envisioned, and one more lesson in political realism. Strategically attentive observers will be wondering whether the French election of last Sunday will cool off in time for the voters in other European democracies to contain their own appetite to substitute political for economic means of self advancement. □

Looking For God in Hollywood

NEW YORK, MAY 27

What did you do on *your* vacation, Susan?

Me? I saw a movie. It is called *Sleepers*. Do you want the plot? . . . Okay, well there are four kids, Hell's Kitchen, New York. Dead-end kids, though they get sent up to a reformatory school for what really was an accident. There they are terribly mauled by sadistic guards, the whole bit, torture, rape. They are let out swearing vengeance.

Flash forward ten years. Two of the Gang of Four coast into a saloon. They are full-time hoods at this point and one of them goes to the john and, coming back, spots sitting in a booth eating his supper one of the sadistic guards. He walks over to alert his buddy that the enemy is here and the two crowd into the booth. "Do you recognize us?"

The sadist tells them to buzz off. "Why are you bothering me?"

"Because we want to see you die." Bang bang. Come to think of it, bang bang *bang bang*, such is the pleasure #1 and #2 took out of the killing.

They are arrested. Trial time. A nice touch, the fourth member of the Gang of Four is the prosecutor. It looks like curtains for #1 and #2 because there is plenty of circumstantial evidence. But #3, who wasn't at the scene of the time, approaches the Catholic priest (Robert De Niro) who knew them all since they were kids. Now this priest has for two whole hours played Mr. Straight. He had trouble as a kid himself and in fact spent time at the same House of Horrors as the Gang of Four. But he is frequently seen in the early movie trying to encourage them to do the right thing. Think of Spencer Tracy at Boys Town. So what does #3 ask him to do?

To appear at the trial and testify that #1 and #2 couldn't have been at the bar killing somebody on the night of November first because they were at Madison Square Garden with the priest watching the Celtics lose a game. Holy Moses! Is he going to do it? The camera pans in close, the judge directs the priest's hand on to the Bible, and looking the jurors in the eyes the priest defies his calling, defies the juridical system, defies God, and—takes a bow from Hollywood?

The movie closes without one more reference to the priest. We aren't even given a shot of him drunk with remorse in a back alley or committing suicide, or turning himself in for his perjury. It was among other things an artistic scam, because you don't invite the viewer/reader to invest confidence in somebody whose many contributions to the story are up to a moment character-building in one very clear direction—only to see him swerve away from his own ideals in order to bail out two murderers. Bad morals, sure; but also bad art.

Bad cinema? Well, Susan, you probably have heard the complaint. Michael Medved, who is the movie critic of the *New York Post* and active in the Jewish faith recently did a documentary on the subject. He reviewed fifty movies, a small number of those that are available for any survey that seeks to make the point that religion is the studied target of Hollywood. The war on religion goes so far as to introduce a religious motif merely for the purpose of debasing it. *Cape Fear* was made years ago featuring Robert Mitchum as the evil man, but no mention of religion. It was remade in 1991 featuring Robert De Niro—who is introduced with elaborate tattoos all over his body memorializing apocalyptic phrases from the Bible.

In Medved's tape on Hollywood's war against religion he gives us scenes from fifty movies, many of them familiar to regular viewers. The villainous figure, whether a priest, a rabbi, an evangelical, a Pope, a soldier, a nun is the figure associated with God. *Godfather III* went as far as one could reasonably go, this side of having *Deep Throat* rise again to document that St. Peter's Basilica is owned by the Mafia.

What surprises Mr. Medved is that the great majority of the anti-religious flicks are turkeys in the market. Every now and again a director will take a deep breath and permit a friendly view of religion, as when Whoopi Goldberg disguises herself as a nun and creates a splendid choir—in a movie (*Sister Act*) that does well.

Poor Hollywood. An early tour with an anti-religious comedy features a fat/dumb Pope. In one scene he proposes giving money to starving children and is corrected by his cardinal-in-waiting: "Our job is to take in money, not to give it out." The preliminary run was such a bomb it went back to the studio and the title was changed from *The Pope Must Die*, to *The Pope Must Diet*. Didn't help.

So, Susan, next time you're in Rome, or in Jerusalem, send a postcard to your neighborhood Hollywood Director. Tell him you'll say a little prayer, maybe he'll grow up. □

(Universal Press Syndicate)

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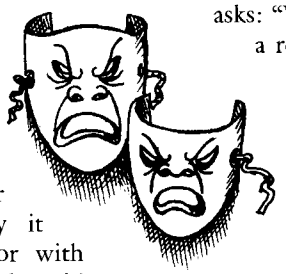
THE MISANTHROPE'S CORNER

FLORENCE KING

WILL Durant said all great nations begin stoic and end epicurean. America has been on this well-traveled road to Rome for some time, but we can also measure our decline by another yardstick that is uniquely ours. We began as sympathizers and will end as empathizers.

The Nineties have blurred the original distinction between sympathy and empathy and the dictionaries have followed suit, but just for old times' sake, here it is: We sympathize with people whose troubles are different from ours; we empathize with people in the same boat. "I feel your pain" is empathy, but "I can imagine your pain" is sympathy.



That sympathy is obviously the nobler emotion explains why it has fallen out of favor with Americans. In the first place, it's too hard, demanding not only thoughtful reflection but a certain amount of serious reading. Second, it smacks of elitism. Lastly, sympathy compels us to touch the third rail of egalitarian democracy: the generalization. Once we utter the words "I can imagine" we enter the realm of broad, sweeping thought, which tends to produce broad, sweeping statements, which, as we all know, tend to hit the multicultural fan with a horrendous splat.

How much safer, then, to trade the wide-ranging heroics of sympathy for empathy's nonjudgmental inclusiveness and reassuring common touch. We made the switch the way we always do, by constant repetition of the word, until everybody was empathizing with everybody else and reciting "I identify with" and "I can relate to" over every conceivable foible and calamity that flesh and spirit are heir to, all in the name of a level suffering field.

The people most likely to go on an empathy jag are those who personalize every problem, reduce every experience to its most pedestrian component parts, and get so caught up in the particulars of a situation that they cannot see the universal principle.

Reading Margaret Carlson's column on Lt. Kelly Flinn is like reading half of Charles Lamb's essay on roast pig: we are left wondering whether the Chinese peasants will ever figure out fire, or will they just go on burning down their barns whenever they want cooked meat.

Painting Lt. Flinn as the victim of "a louse so low he makes George Costanza look like Sir Galahad," Miss Carlson asks: "Why wasn't she given counseling, a reprimand, or reassignment?" Reassignment? Doesn't she know that no matter where they stationed her, every wife on the base would empathize with Catherine of Aragon?

The level suffering field erupted last year when baseball star Roberto Alomar spat in the face of umpire John Hirschbeck, who flew into a violent rage and threw Alomar out of the game. In an attempt to get off the hook by feeling Hirschbeck's pain, Alomar told a press conference he understood why the umpire was so upset: Hirschbeck's son was dying of the disease that inspired the movie *Lorenzo's Oil*.

This is how the word "empathy" made its unprecedented appearance in the sports pages, where it remained for several weeks as Hirschbeck's defenders accused Alomar of a "lack of empathy" for raising the painful subject, while Alomar's defenders insisted that his heart was in the right place but that his being a bachelor made it hard for him to "empathize" with a father.

Empathy is a female game designed for boffo displays of intuition and finer feeling. Its greatest impact has been felt in our legal system. The difference between the empathetic female mind and the sympathetic male mind is the difference between the jurisprudence of an earlier age and the juris without prudence that prevails today.

When Albert DeSalvo, the Boston Strangler, was tried for his other "Green Man" sex crimes in 1964, women could still be excused from jury duty on the grounds that they would hear things "unfit for female ears." That's sympathy.

DeSalvo consequently had an all-male jury, which returned in just three hours with a guilty verdict. By contrast, the Menendez brothers got off when the female jurors at their first trial concluded that yes, they did it, but no, they didn't, not really, not if you understand them and relate to what was going through their minds. That's empathy.

Somerset Maugham got it right when he said, "There's not much kick in the milk of human kindness." Empathizing with everybody is like sleeping with everybody: eventually it makes you frigid, at which point you decide it's a lot less trouble and just as much fun to empathize with yourself.

MANY Americans are indulging in this vice. Soccer Moms contended that because the Doles had no children, he could not govern "for families." Military men regularly call talk-radio shows to declare that anyone who has not "worn the uniform" has no right to send troops into battle. The most enthusiastic self-empathizers, however, are Congress Moms whose idea of legislating is to pass laws against their own problems.

Rep. Marge Roukema is pushing for family leave because she had to quit graduate school to nurse a sick child. Rep. Connie Morella is pushing for breast-cancer research because her sister died of breast cancer. Sen. Mary Landrieu, who has a five-year-old, wants to overhaul the school-lunch program, and Rep. Cynthia McKinney hints, "I can relate to the single mom at the bus stop at 5 A.M. with her baby because I've been there." As for Congress Dads, Sen. Pete Domenici demanded that the Kennedy–Kassebaum health-care bill be amended to cover mental illness because his daughter is mentally ill.

In a column on personalized agendas, Margaret Carlson chided, "One-on-one conversions are no substitute for empathy." They ARE empathy! What is missing is the broad, sweeping thought of a wide-ranging sympathetic mind. Without it, all we will get are more versions of the Americans with Disabilities Act, which has robbed us of sympathy's most precious jewel, "There but for the grace of God go I," and replaced it with "The goddam gimps towed my car." □

Miss King is the author of The Florence King Reader *and other books.*

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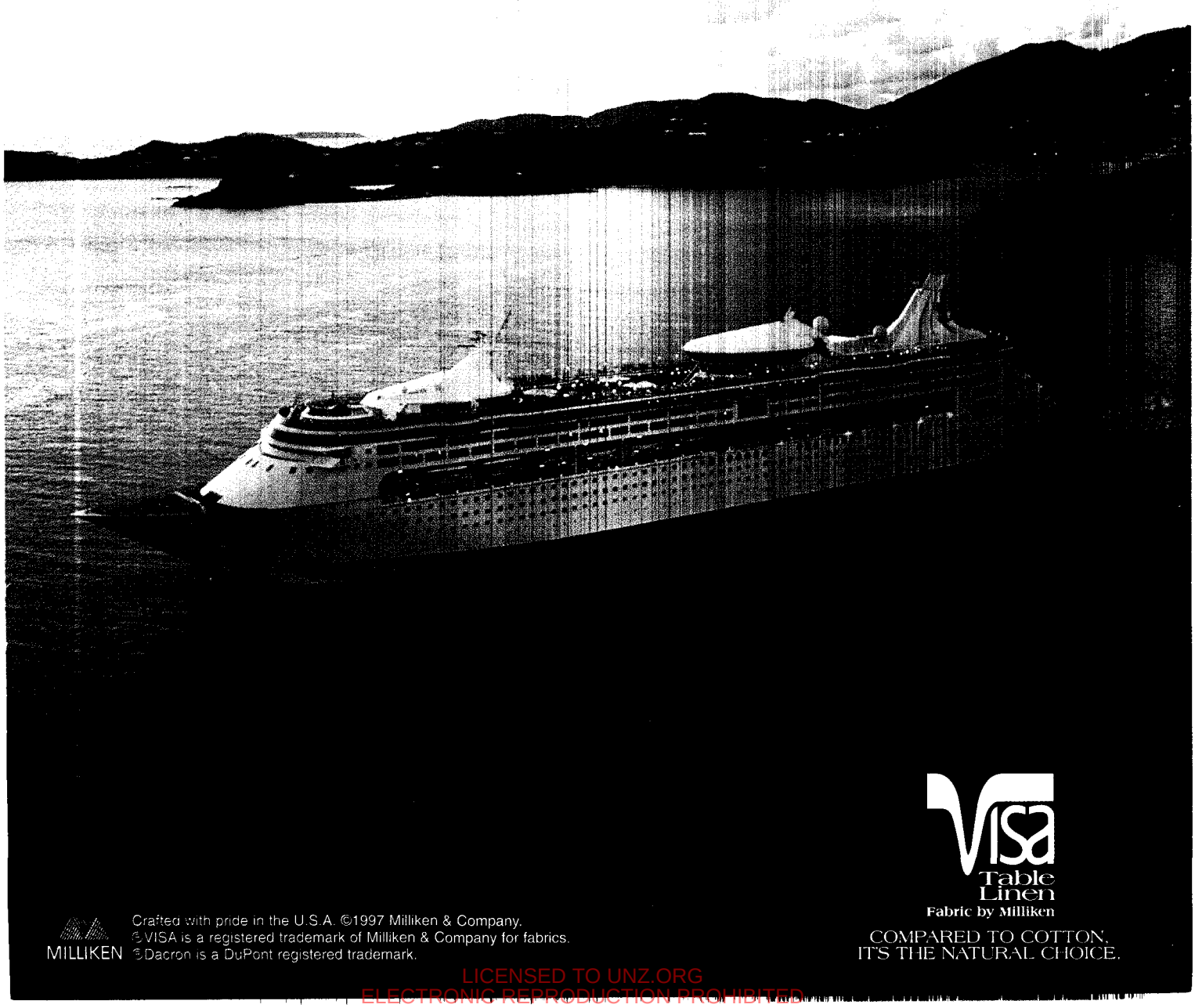

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